

AGENDA - COUNCIL MEETING - TUESDAY - JULY 17, 2007 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Holm

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 18, 2007 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT - Employee Training

CONSENT AGENDA NUMBERS 1 through 38

MISCELLANEOUS - NUMBER 1

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON DOWNTOWN PARK CORPORATION BOARD OF DIRECTORS**, for terms to expire June 30, 2010:
Position One - **MR. BARRON F. WALLACE**, reappointment
Position Two - **MR. DAVID L. MENDEZ**, appointment

AGENDA - JULY 18, 2007 - PAGE 2

ACCEPT WORK - NUMBERS 2 through 6

2. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$9,123,554.55 and acceptance of work on contract with **SOVEREIGN BUILDERS GROUP, LTD. (DBA CONSTRUCTION, LTD.)** for Light Aircraft Hangars & Airfield and Grounds Building Expansion at Ellington Field; Project No. 515, WBS A-000347-0001-4-01 and A-000386-0001-4-01 - 1.40% over the original contract amount - **DISTRICT E - WISEMAN**
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,345,541.46 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Construction of Pech Road from Westview Drive to Long Point Road, WBS N-000754-0001-4 - 2.93% over the original contract amount - **DISTRICT A - LAWRENCE**
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,372,124.32 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.** for East Lake Houston Unserved Areas Project - Package III, WBS R-000801-0009-4 - 6.96% under the original contract amount - **DISTRICT E - WISEMAN**
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$895,201.96 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Extensions and Crossings in the Willowbrook Service Area, WBS S-000100-0012-4 - 2.52% under the original contract amount - **DISTRICT A - LAWRENCE**
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,322,041.00 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for 12-inch Water Line along Post Oak Boulevard from Richmond Avenue to Westheimer, WBS S-000521-0015-4 - 7.92% under the original contract amount - **DISTRICTS C - CLUTTERBUCK and G - HOLM**

PROPERTY - NUMBERS 7 and 8

7. RECOMMENDATION from Director Department of Public Works & Engineering to **RESCIND MOTION #2007-231, 2/28/07, AND AUTHORIZE** abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of Clarborough Place from Clarborough Drive to West Sam Houston Tollway Road, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834, Parcels SY6-061 and AY7-257A, AY7-257B and AY7-257C - **APPRAISERS - DISTRICT A - LAWRENCE**
8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Andrew Wong, Vice President, Amerifirst Corporation (sole general partner of Sunlake Limited), for the sale of a ±5.5-acre tract of fee-owned land, south of Aldine Bender Road and east of John F. Kennedy Boulevard, located in the Willis Avery Survey, A-104, Parcel SY6-001 - **APPRAISERS - DISTRICT B - JOHNSON**

AGENDA - JULY 18, 2007 - PAGE 3

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 12

9. **SOUTHWEST SOLUTIONS GROUP, INC** for Moving Services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Fire Department - \$55,271.67 - General Fund
10. **BOWLING BICYCLES, INC** for Mountain Bicycles for Police Department - \$239,746.20 - General Fund
11. **HELI-MART, INC** for MD Helicopter Replacement Parts for Police Department - \$1,275,000.00 General Fund
12. **POLARIS SALES, INC** for Utility Vehicles from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$59,065.56 - Enterprise Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 13 through 38

13. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Bonds (Costa Vizcaya Apartments) Series 2007
14. Omitted
15. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to vehicle dimensions and the effects of operation on City streets; declaring certain conduct to be unlawful and providing a penalty therefor; containing findings and other provisions relating to the foregoing subject; providing for severability
16. ORDINANCE amending second amended and restated ordinance relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series E; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of such Notes, including the approval of a third amended and restated Credit Agreement, a third amended and restated Dealer Agreement, a third amended and restated Issuing and Paying Agency Agreement and an updated Offering Memorandum; approving updated Offering Memoranda for City of Houston, Texas, General Obligation Commercial Paper Notes, Series D and City of Houston, Texas, General Obligation Commercial Paper Notes, Series F; and declaring an emergency
17. ORDINANCE amending Ordinance relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series G; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of such Notes, including the approval of a first amendment to the Credit Agreement, an amended and restated Issuing and Paying Agency Agreement and an amended and restated Dealer Agreement and an updated Offering Memorandum; and declaring an emergency

RESOLUTIONS AND ORDINANCES - continued

18. ORDINANCE approving and authorizing lease agreement between the City of Houston and **1859-HISTORIC HOTELS, LTD.** for certain premises at William P. Hobby Airport - **DISTRICT I - ALVARADO**
19. ORDINANCE approving and authorizing lease agreement between **DUKE STREET PARTNERS, LTD., a Texas Limited Partnership**, as Landlord ("Landlord"), and the City of Houston, Texas, as tenant (the "City"), for a total of 15,673 square feet of office space located at 2102 Austin Street, Houston, Harris County, Texas, for a five-year lease term at a monthly rental of \$14,366.92, with an increase in monthly rental at the beginning of the third and fifth years consisting of the greater of 1.5% or the increase in the Consumer Price Index, with one five-year renewal option at a Market Rental Rate, for use by the Planning and Development Services Division of the Public Works & Engineering Department, and allocating funds therefore **DISTRICT I - ALVARADO**
20. ORDINANCE approving and authorizing Agreement between the City of Houston, the **FIFTH WARD REDEVELOPMENT AUTHORITY** and **REINVESTMENT ZONE NUMBER EIGHTEEN, CITY OF HOUSTON, TEXAS (FIFTH WARD ZONE)** in connection with the City's Reinvestment Zone Number Eighteen over the Fifth Ward Area - **DISTRICT B - JOHNSON**
21. ORDINANCE consenting to the creation of the **HARRIS COUNTY ROAD IMPROVEMENT DISTRICT NO. 1** and the inclusion of certain land within the district - **DISTRICT E - WISEMAN**
22. ORDINANCE approving and authorizing agreement between the City of Houston and **SSFP REED ROAD V L.P.** to provide a \$4,250,000.00 Performance-based Loan of Federal "HOME" Funds for costs to construct a Senior Living Community in the 2800 block of Reed Road, Houston, Texas, to be known as Mariposa at Reed Road to house low income residents **DISTRICT D - EDWARDS**
23. ORDINANCE approving and authorizing contract between the City of Houston and **TALENTO BILINGUE DE HOUSTON**, to provide \$220,000.00 in Community Development Block Grant Funds to allow for the Renovation of a Public Facility located at 333 South Jensen Street **DISTRICT H - GARCIA**
24. ORDINANCE approving and authorizing agreement for Professional Services by and between the City of Houston, Texas and **GREATER HOUSTON PARTNERSHIP** - \$785,000.00 Enterprise Funds
25. ORDINANCE approving and authorizing third amendment to an Electric Supply Agreement between the City of Houston and **TEXAS GENERAL LAND OFFICE** and to increase the maximum contract amount (approved by Ordinance No. 04-0273 and amendments one and two approved by Ordinance Nos. 06-0014 and 06-0439) - \$628,000,000.00 - Central Service Revolving Fund
26. ORDINANCE approving and authorizing grant agreement between the City of Houston and **SAM HOUSTON STATE UNIVERSITY** and interlocal agreements between the City of Houston and **HARRIS COUNTY, GALVESTON COUNTY, the CITY OF PASADENA**, and the **TEXAS DEPARTMENT OF CRIMINAL JUSTICE** for the Project Safe Neighborhood Grant - \$30,000.00 Grant Fund

RESOLUTIONS AND ORDINANCES - continued

27. ORDINANCE approving and authorizing one-year contract, with four one-year options for renewal, between the City of Houston and **TUTOR.COM, INC** to provide online live homework help services to students verified as Houston Public Library Users; providing a maximum contract amount - 5 Years - \$994,615.00 - General Fund
28. Omitted
29. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (H-GAC)** for Hurricane Evacuation Education Program - \$34,855.00 - Greater Houston Transportation and Emergency Center Fund
30. ORDINANCE appropriating \$422,583.49 out of the Water & Sewer System Consolidated Construction Fund and \$426,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Lake Way Village Subdivision, WBS S-000800-00M4-4/R-000800-00M4-4/M-000800-00M4-4 - **DISTRICT E - WISEMAN**
31. ORDINANCE appropriating \$275,828.34 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Drainage Improvement CPaper Series F Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Riverbend Village Subdivision, WBS S-000800-00M2-4/R-000800-00M2-4/M-000800-00M2-4 **DISTRICT B - JOHNSON**
32. ORDINANCE appropriating \$420,496.01 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water and Sanitary Sewer Lines for Section One of South Meadow Place Subdivision, WBS S-000800-00M5-4/R-000800-00M5-4 - **DISTRICT E - WISEMAN**
33. ORDINANCE appropriating \$101,975.60 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **FAFB, LLC** for Construction of Water and Sewer Lines to serve the Red Robin Square Subdivision, WBS S-000800-0104-4 and R-000800-0104-4 - **DISTRICT E - WISEMAN**
34. ORDINANCE approving and authorizing contract between the City of Houston and **BECK DISASTER RECOVERY, INC** for Disaster Management Recovery and Consulting Services for the Solid Waste Management Department - 5 Years with two one-year options
35. ORDINANCE appropriating \$5,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **POLYTECH, INC d/b/a PTI, INCORPORATED** for Various Small Diameter Water Line Replacement Projects, WBS S-000035-00F9-4
36. ORDINANCE granting to **EAGLE PRENTICE, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**

RESOLUTIONS AND ORDINANCES - continued

37. ORDINANCE granting to **HAZWASTE ENVIRONMENTAL, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**
38. ORDINANCE granting to **SPECIALIZED MAINTENANCE SERVICES, INC, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 39 through 48

39. ORDINANCE appropriating \$6,140,959.95 out of Street & Bridge Consolidated Construction Fund, \$2,683,075.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for York Street Reconstruction from Polk Street to Navigation, WBS N-000698-0001-4; S-000500-0058-4 and R-000500-0058-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS H - GARCIA and I - ALVARADO**
POSTPONED BY MOTION #2007-751, 7/3/07
This was Item 58 on Agenda of July 3, 2007
40. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of an amendment to the FY2007 Operating Budget for the **HOUSTON AREA WATER CORPORATION (HAWC)** - \$550,000.00 - Enterprise Fund - **TAGGED BY COUNCIL MEMBER GARCIA**
This was Item 1 on Agenda of July 11, 2007
41. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of FY2008 Operating Budget for the **HOUSTON AREA WATER CORPORATION (HAWC)** - \$23,351,450.00 Enterprise Fund - **TAGGED BY COUNCIL MEMBER GARCIA**
This was Item 2 on Agenda of July 11, 2007

MATTERS HELD - continued

42. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,234,567.92 and acceptance of work on contract with **SPAWGLASS CIVIL CONSTRUCTION, INC** for Construction of Safe Sidewalk Program 01 Project, WBS N-00646H-001-4 - 18.45% under the original contract amount - **DISTRICT H - GARCIA**
TAGGED BY COUNCIL MEMBER GARCIA
This was Item 4 on Agenda of July 11, 2007

43. ORDINANCE appropriating \$10,388,670.00 out of Equipment Acquisition Consolidated Fund for 290 Patrol Vehicles and Ancillary Equipment (to include Vehicle Consoles, Mobile Data Terminals, Police Radios, Antennas and Sirens) for Police Department
TAGGED BY COUNCIL MEMBERS JOHNSON, CLUTTERBUCK, HOLM and LOVELL

- a. RECOMMENDATION from Director Finance & Administration Department to **AMEND MOTION #2007-218, 2/28/07, TO PURCHASE** 304 additional Patrol Vehicles for Police Department, for a total increase of \$7,807,632.00, awarded to **PHILPOTT MOTORS, LTD., d/b/a PHILPOTT FORD** Equipment Acquisition Consolidated and Police Special Services Funds
TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, JOHNSON, LOVELL and HOLM

- b. RECOMMENDATION from Director Finance & Administration Department to **AMEND MOTION #2007-57, 1/17/07, TO PURCHASE** additional Vehicle Console Systems for Police Department, for a total increase of \$88,953.44, awarded to **BISON PROFAB, INC** Equipment Acquisition Consolidated and Police Special Services Funds
TAGGED BY COUNCIL MEMBERS CLUTTERBUCK, JOHNSON, LOVELL and HOLM
These were Items 10, 10A and 10B on Agenda of July 11, 2007

44. ORDINANCE approving and authorizing the use of \$659,482.85 in Community Development Block Grant ("CDBG") Funds to reimburse the City's CDBG Treasury Account due to an expenditure correction made by the City's Public Works & Engineering Department
TAGGED BY COUNCIL MEMBER HOLM
This was Item 19 on Agenda of July 11, 2007

45. ORDINANCE amending Ordinance 2006-1043 to increase the maximum contract amount of contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON, INC, ALSO TEMPS, INC, APPLE ONE TEXAS, INC, BERGAILA & ASSOCIATES, INC, ELITE COMPUTER CONSULTANTS, LP., ELITE PERSONNEL CONSULTANTS, INC d/b/a EVINS TEMPORARIES, EXECUTEAM STAFFING, L.P., and SILVER & ASSOCIATES, INC** for Temporary Employee Services and Information Technology Staffing Services - \$17,500,000.00 Central Service Revolving Fund
TAGGED BY COUNCIL MEMBERS BROWN, HOLM, JOHNSON and LAWRENCE
This was Item 20 on Agenda of July 11, 2007

46. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to redesignating the Building Services Department as the General Services Department
TAGGED BY COUNCIL MEMBER GREEN
This was Item 27 on Agenda of July 11, 2007

47. ORDINANCE approving and authorizing contract between the City and **GROTE CONSULTING CORPORATION** for employee relations training pertaining to discipline without punishment; providing a maximum contract amount - \$73,500.00 - Enterprise Fund to be reimbursed by user departments - **TAGGED BY COUNCIL MEMBER GREEN**
This was Item 28 on Agenda of July 11, 2007

MATTERS HELD - continued

48. ORDINANCE appropriating \$358,276.18 out of Water & Sewer System Consolidated Construction Fund and \$378,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **INWOOD MONTGOMERY, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for the Inwood Park Subdivision, WBS S-000800-00M7-4, R-000800-00M7-4 & M-000800-00M7-4
DISTRICT B - JOHNSON - TAGGED BY COUNCIL MEMBER GREEN
This was Item 32 on Agenda of July 11, 2007

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Clutterbuck first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

**NOTICE OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF HOUSTON**

NOTICE is hereby given that a Regular Meeting of the City Council of the City of Houston will be held **TUESDAY, JULY 17, 2007 at 1:30 p.m. and WEDNESDAY, JULY 18, 2007 at 9:00 a.m.** with the reading of the descriptions, captions or titles of the agenda items by the City Secretary to begin not earlier than 60 minutes before the scheduled commencement, in the Council Chamber, Second Floor, City Hall, 901 Bagby, for the purpose of conducting the regular business and affairs of the City of Houston listed on the attached Agenda.

WITNESS my official signature this the 13th day of JULY, 2007.

City Secretary

CERTIFICATE

I certify that the attached notice of meeting was posted on the Bulletin Board of the City Hall of the City of Houston, Texas, on JULY 13, 2007 at : p.m.

by _____

for Anna Russell
City Secretary

**CITY COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY
JULY 17, 2007 - 2:00 P.M.**

NON-AGENDA

3MIN.

3MIN.

3MIN.

MS. IVORI HOPKINS – 1710 A Bluebonnet Circle – 77019 – 713-651-0885 – Political

MR. DAVID SMOLENSKY – 8110 Wateka Dr. – 77074 – 832-282-9262 – Neighborhood Protection

MR. JOHN JOHNSON – 7102 Wendemere – 77088 – 832-453-1900 – Neighborhood Protection

MR. STEVEN WILLIAMS – No address – No phone – Officer Phillips Tidwell at TC Jester Murder of Jews
G.I.'s Missionaries

MR. JOHNNIE ROBINSON – 8450 Bigwood – 77078 – 713-631-1758 – Affirmative Action – Conditions of
Street

MS. THERESA O'DONNELL – 10 Waverly Court – 77005 – 713-521-2811 – Comprehensive Planning

MR. OLIVER KINCHEN – 4416 Maxey – 77007 – 832-752-3927 – Contractors problems

PREVIOUS

1MIN.

1MIN.

1 MIN.

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 - 832-453-6376 – President Joseph
Charles O/U. S. A. – Court – C/A/ - Case vs. – C/Hall W/-M/White – Statements – Assassinate Him



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

JUL 18 2007

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 6-27-07
DATE

COUNCIL MEMBER: _____

June 27, 2007

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Article 2 of the Bylaws of the Houston Downtown Park Corporation, a public, non-profit Texas local government corporation created by and for the City of Houston, I hereby nominate the following individuals to the Houston Downtown Park Corporation Board of Directors, subject to confirmation by the City Council:

Mr. Barron F. Wallace, reappointment to Position One, for a term to expire June 30, 2010; and

Mr. David L. Mendez, appointment to Position Two, for a term to expire June 30, 2010.

The résumés of the nominees are attached for your review.

Sincerely,

A handwritten signature in cursive script that reads "Bill White".

Bill White
Mayor

BW:CC:jsk

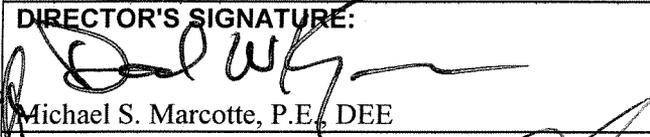
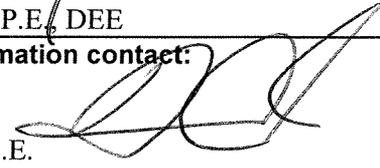
Attachments

cc: Ms. Dawn Ullrich, Director, Convention and Entertainment Facilities
Mr. Guy Hagstette, Assistant Secretary-Treasurer, Houston Downtown Park Corporation and President-elect of the Discovery Green Conservancy



To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for the Construction of Pech Road from Westview Drive to Long Point Road. WBS No. N-000754-0001-4.		Page 1 of 2	Agenda Item # 3
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-12-07	Agenda Date JUL 18 2007
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE		Council District affected: A	
For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074		Date and identification of prior authorizing Council action: 4 Ord. #2005-925 dated 7/27/2005	
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$3,345,541.46 or 2.93% over the original Contract Amount, accept the Work and authorize final payment.			
Amount and Source of Funding: No additional funding required. Total Original appropriation of \$3,812,790.00; with \$3,035,915.00 from the Street & Bridge Consolidated Construction Fund No 437, and \$776,875.00 from the Water and Sewer System Consolidated Construction Fund No. 755.			
SPECIFIC EXPLANATION:			
PROJECT NOTICE/JUSTIFICATION: This project was part of Street and Traffic Control Improvement and was required to upgrade collector and accommodate bus traffic.			
DESCRIPTION/SCOPE: The project consists of replacing the existing two-lane asphalt roadway and open ditches with concrete roadway with curbs, sidewalks, underground utilities and street lights. Huitt-Zollars, Inc. designed the project with 250 calendar days allowed for construction. The project was awarded to Texas Sterling Construction, L.P. with an original Contract Amount of \$3,250,254.00.			
LOCATION: The project area was generally bounded by Long Point Road on the north, Westview Drive on the south, Wirt Road on the east and Bingle Road on the west. The project is located in Key Map grids 451 S and W.			
CONTRACT COMPLETION AND COST: The Contractor, Texas Sterling Construction, L.P. has completed the Work under the subject Contract. The project was completed within the Contract Time with 205 additional days allowed by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 2 and 3 will be \$3,345,541.46, an increase of \$95,287.46 or 2.93% over the original Contract Amount.			
REQUIRED AUTHORIZATION		CUIC ID# 20D086	
A Budget:	Other Authorization:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	

Date:

SUBJECT: Accept Work for the Construction of Pech Road from Westview Drive to Long Point Road. WBS No. N-000754-0001-4.

**Originator's
Initials**

**Page
2 of 2**

The increased cost is primarily a result of Change Order Nos. 2 and 3 and the differences between planned and measured quantities. The increase is primarily a result of an overrun in Bid Item No. 9 – Tree removal and disposal, Bid Item No. 38 – High early strength reinforced concrete pavement, Bid Item No. 39 – Board expansion joint, Bid Item No. 94 – 6-inch Dia. Main by open cut, Water main, Bid Item No. 115 – Service stubs or reconnections, Bid Item No. 119 – Remove and replace 6-inch Dia. Sanitary sewer, which were necessary to complete the work.

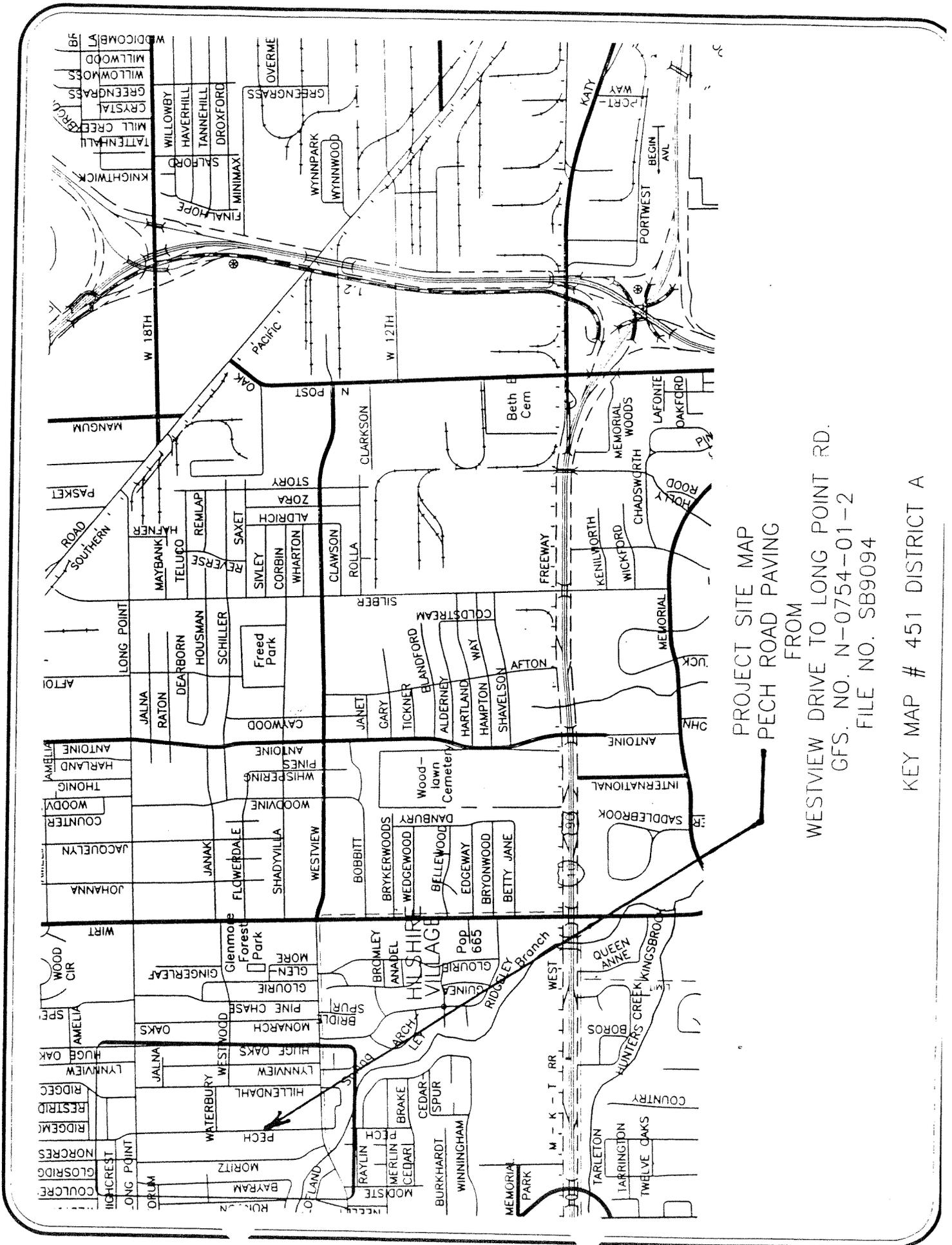
M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to Affirmative Action and Contract Compliance Division, the participation was 16.95%. Contractor's M/WBE performance evaluation was rated satisfactory.



MSM:DWK:JTL:AR:DO:ce

c: Daniel W. Krueger, P.E.
Michael Ho, P.E.
Velma Laws
Marty Stein
Craig Foster
Susan Bandy
Waynette Chan
Gary Norman

File No. N-000754-0001-4.21.0



PROJECT SITE MAP
 PECH ROAD PAVING
 FROM
 WESTVIEW DRIVE TO LONG POINT RD.
 GFS. NO. N-0754-01-2
 FILE NO. SB9094

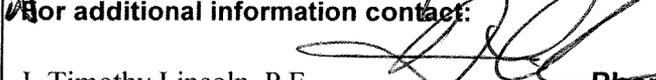
KEY MAP # 451 DISTRICT A

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for East Lake Houston Unserved Areas Project – Package III. WBS No. R-000801-0009-4.	Page 1 of 2	Agenda Item# 4
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7-12-07	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council Districts affected: E M.A.S. JK
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For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074	Date and Identification of prior authorizing Council Action: Ord. #05-78 dated 01/25/05 M.A.S. JK
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$6,372,124.32 or 6.96% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required. Original total appropriation of \$7,523,500.00 from Water and Sewer System Consolidated Construction Fund, Fund No. 755.	F&A Budget:
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SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This project was part of the City's effort to provide sanitary sewer and water services to the unserved areas within the City limit.

DESCRIPTION/SCOPE: This project consisted of construction of 39,400 linear feet of 8 to 18-inch sanitary sewers; 5,000 linear feet of 6 to 10-inch force main; 18,500 linear feet of 4 to 12-inch water mains; 3 lift stations; and 56,000 square yards of associated paving work. Claunch & Miller, Inc. designed the project with 440 calendar days allowed for construction. The project was awarded to SER Construction Partners, Ltd. with an original Contract Amount of \$6,848,999.90.

LOCATION: The project area is generally bound by FM 1960 on the north, City limits on the south and east, and Lake Houston on the west. The project is located in Key Map Grids 338-Q, R, V, Y, & Z, and 378-C, & D.

CONTRACT COMPLETION AND COST: The Contractor, SER Construction Partners, Ltd. has completed the work under the subject Contract. The project was completed within the Contract time with 120 additional days allowed by Change Order No. 2. The final cost of the project, including previously approved Change Order Nos. 1 and 2 and overrun and underrun of estimated bid quantities is \$6,372,124.32, a decrease of \$476,875.58 or 6.96% under the original Contract Amount.

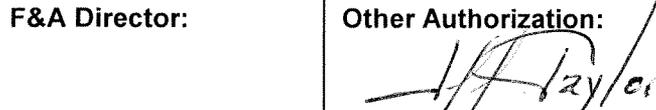
The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily a result of an underrun in Base Unit Price Item No. 21 – New Copper Service Lines, Short Side w/ Meter Box (5/8 to 1-inch), Base Unit Price Item No. 22 – New Copper Service Lines, Long Side w/ Meter Box (5/8 to 1-inch), Base Unit Item No. 26 – Reduced Pressure Zone Backflow Pre-venter Installation, 6-inch, including Gate Valves, Insulated Heated Enclosure, Automatic and the Work not requiring use of most Extra Unit Price Items.

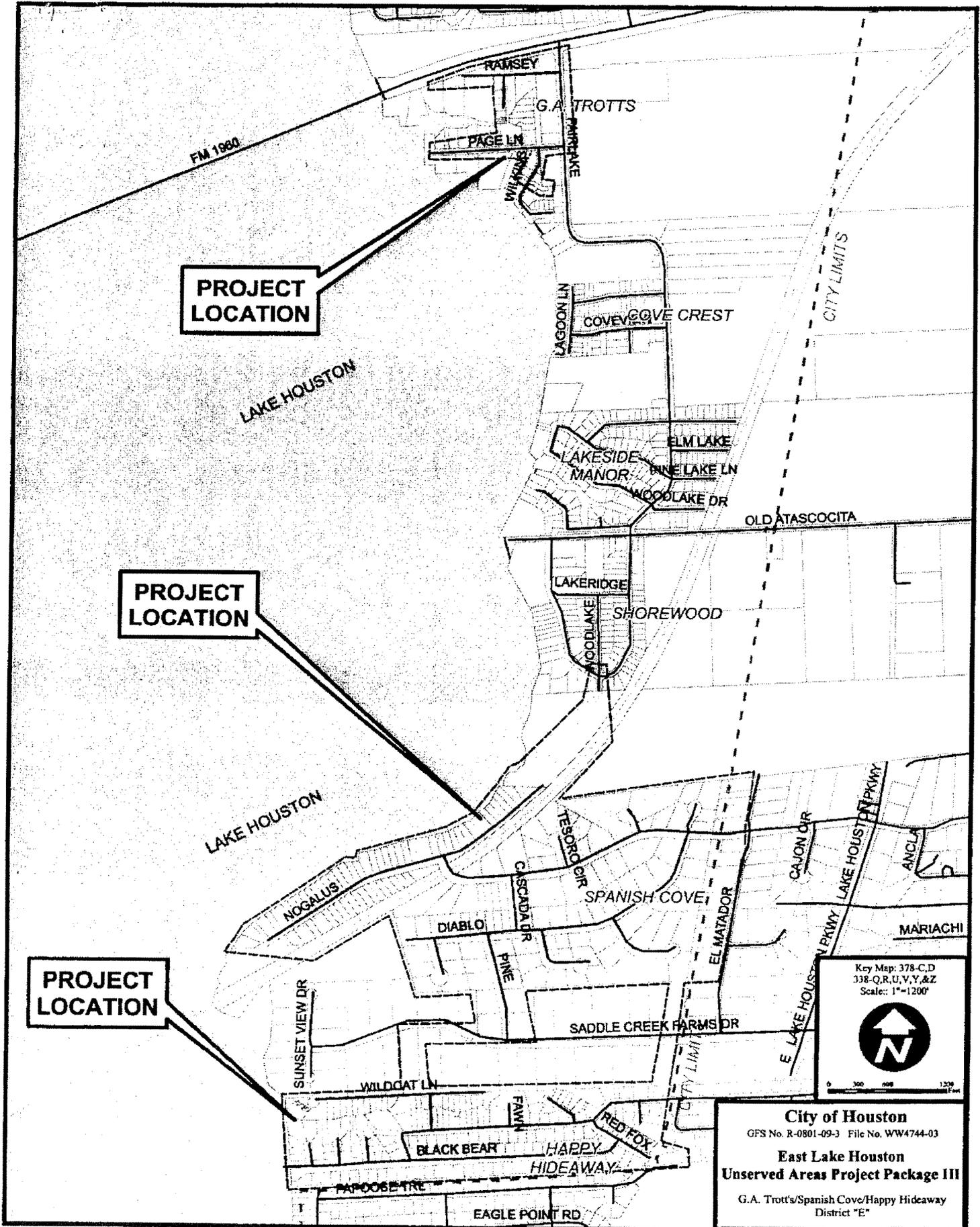
M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 20.31%. The Contractor achieved an "Outstanding" rating for MWDDBE compliance.

JK M.A.S.
MSM:JTL:JK:MAS:mq
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e: Velma Laws Craig Foster Michael Ho, P.E. File No. 4744-3 - Closeout

REQUIRED AUTHORIZATION CUIC ID# 20MAS118

F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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**PROJECT
LOCATION**

**PROJECT
LOCATION**

**PROJECT
LOCATION**

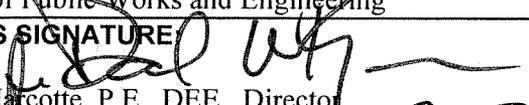
Key Map: 378-C,D
 338-Q,R,U,V,Y,&Z
 Scale: 1"=1200'

City of Houston
 GFS No. R-0801-09-3 File No. WW4744-03
East Lake Houston
Unserved Areas Project Package III
 G.A. Trott's/Spanish Cove/Happy Hideaway
 District "E"

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Water Line Extensions and Crossings in the Willowbrook Service Area. WBS No. S-000100-0012-4.	Page 1 of 2	Agenda Item # 5
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7-12-07	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director	Council Districts affected: A
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For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director  Phone: (713) 837-7074	Date and Identification of prior authorizing Council Action: Ord. #06-553 dated 05/31/2006 
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$895,201.96 or 2.52% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required.
Original appropriation of \$1,058,000.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.

F&A Budget:

SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: The Project was part of the City's Water Line Grid Extensions Program. This program is required to improve the City's water distribution system efficiency for recirculation and fire protection.

DESCRIPTION/SCOPE: The project consisted of construction of 6,307 linear feet of water line extensions with highway crossings in the Willowbrook Service Area. Brooks and Sparks, Inc. designed the project with 120 calendar days allowed for construction. The project was awarded to Metro City Construction, L.P. with an original Contract Amount of \$918,364.75.

LOCATION: The project area is generally bound by Gessner on the north, Millsview on the south, Misty Willow on the east, and State Highway 249 on the west. The project is located in Key Map grids 369-H & M and 370-E & J.

CONTRACT COMPLETION AND COST: The Contractor, Metro City Construction, L.P. has completed the Work under the subject contract. The project was completed within the Contract Time with 70 additional days approved by Change Order Nos. 1 and 2. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 2 is \$895,201.96, a decrease of \$23,162.79 or 2.52% under the original Contract Amount.

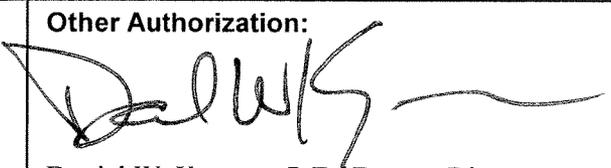
The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily a result of an underrun in Base Unit Item No. 9 – 12-inch Water Line, Augered and the Work not requiring use of Extra Unit Price Items.

M/WBE PARTICIPATION: There was no M/WBE goal for this project.

BK
MSM:JTL:AR:BK:mq
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c: Daniel W. Krueger, P.E. Velma Laws Michael Ho, P.E. Craig Foster File No. 10673-2 - Closeout

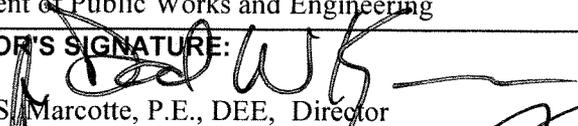
REQUIRED AUTHORIZATION CUIC ID# 20BK010

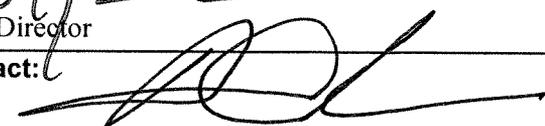
F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	<i>MOT</i>
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TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT Accept Work for 12-inch Water Line along Post Oak Boulevard from Richmond Avenue to Westheimer. WBS. No. S-000521-0015-4.	Page 1 of 1	Agenda Item # 6
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7/12/07	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council Districts affected: C & G
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For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074	Date and Identification of prior authorizing Council Action: Ord. # 2005-756 dated 06/15/2005
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RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,322,041.00 which is 7.92% under the original Contract Amount, accept the Work, and authorize final payment.

Amount and Source of Funding: No additional funding required. Original total appropriation of \$1,672,000.00 for construction and contingencies: \$181,250.00 from Water and Sewer Contributed Capital Fund, Fund No. 733 and \$1,490.750.00 from Water and Sewer System Consolidated Construction Fund, Fund No. 755.	F&A Budget:
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SPECIFIC EXPLANATION:

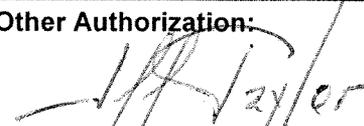
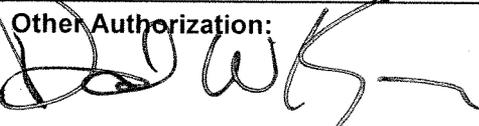
PROJECT NOTICE/JUSTIFICATION: The City had coordinated with The Uptown Development Authority to replace City-owned water facilities located within the Post Oak right-of-way. The City Council approved the Interlocal Agreement for the project with The Uptown Development Authority on November 17, 2004 – Ordinance No. 2004-1186. Per Agreement, The Uptown Development Authority had provided necessary funding of \$181,250.00 for this project. The 12-inch water distribution line is to replace service from an existing 12-inch water line along Post Oak Boulevard from Richmond to Westheimer. As evidenced by the excessive maintenance required, the existing original water line was constructed in the 1950's and was beyond its useful life. The project was part of the City's Water Main Replacement Program.

DESCRIPTION/SCOPE: The project consisted of 3,083 linear feet of a 12-inch water line, valves and appurtenances along Post Oak Boulevard from Richmond Avenue to Westheimer. The design of the project was provided by The Uptown Development Authority with 120 calendar days allowed for construction. The project was awarded to Texas Sterling Construction, L.P. with an original Contract Amount of \$1,435,688.00.

LOCATION: The project area is Post Oak Boulevard from Westheimer on the north to Richmond Avenue on the south. The project is located in Key Map Grids 491-U & Y.

CONTRACT COMPLETION AND COST: The Contractor, Texas Sterling Construction, L.P. has completed the Work under the subject contract. The project was completed beyond the established completion date and Liquidated Damages in the amount of \$12,000.00 have been assessed and are reflected in the final payment. The final cost of the project including, Liquidated Damages, overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$1,322,041.00, a decrease of \$113,647.00 or 7.92% under the original Contract Amount.

The decreased cost is due to the difference between planned and measured quantities. This decrease is primarily a result of an underrun in Base Unit Item No. 28 – ¾-inch Diameter Copper Service Line with Meter Box - Short Side, Base Unit Item No. 34 – 8-inch Diameter Wet Connection, Base Unit Item No. 37 – 3-inch Diameter Wet Connection, and Extra Unit Item No. 55 – Replacement of Caulked Joint Material with Joint Sealant on Existing 16-inch Water Line near Richmond and Post Oak intersection, which were not necessary to complete the Work.

REQUIRED AUTHORIZATION		CUIC ID# 20SA011
F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utilities Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division

Date

SUBJECT: Accept Work for 12-inch Water Line along Post Oak Boulevard from Richmond Avenue to Westheimer. WBS. No. S-000521-0015-4.

**Originator's
Initials**

**Page
2 of 2**

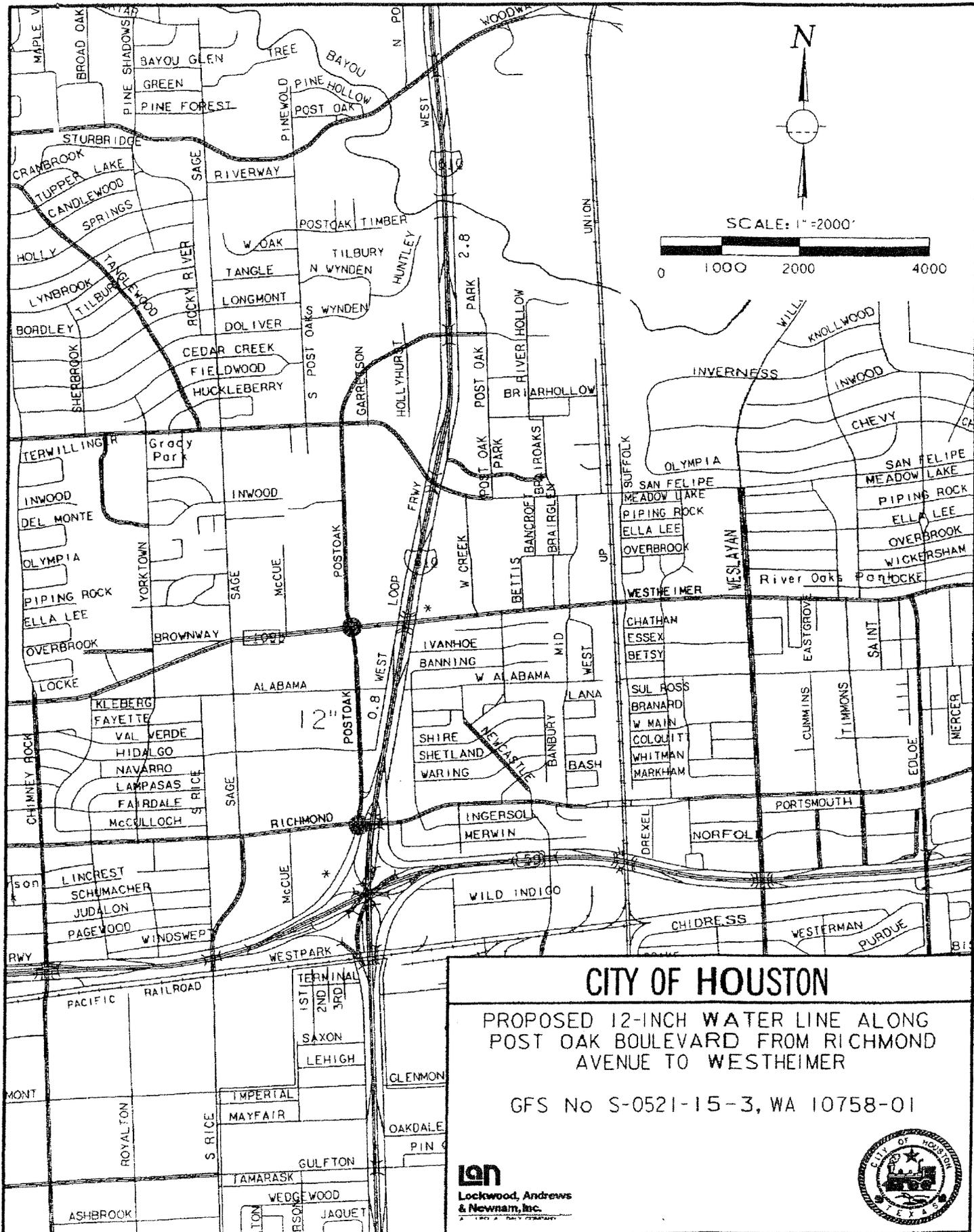
M/WBE PARTICIPATION: M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 16.29 %. The Contractor achieved a "Satisfactory" rating for MWDBE Compliance.



MSM:JTL:AR:SA:mq

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c: Daniel W. Krueger, P.E. Velma Laws Michael Ho, P.E Craig Foster File No. 10758-01 - Closeout



<p>SUBJECT: Request for the rescission of Council Motion 2007-0231, and passage of a new council motion authorizing the abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of Clarborough Place from Clarborough Drive to the West Sam Houston Tollway Road, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834. Parcels SY6-061 and AY7-257A, AY7-257B, and AY7-257C</p>	<p>Category # 7</p>	<p>Page <u>1 of 2</u></p>	<p>Agenda Item # 7</p>
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<p>FROM (Department or other point of origin): Department of Public Works and Engineering</p>	<p>Origination Date 7/12/07</p>	<p>Agenda Date JUL 18 2007</p>
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<p>DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director</p>	<p>Council District affected: A Key Map 449Y <i>oo</i></p>
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<p>For additional information contact: Nancy P. Collins <i>nc</i> Phone: (713) 837-0881 Senior Assistant Director-Real Estate</p>	<p>Date and identification of prior authorizing Council Action: C.M. 2007-0231, dated 2-28-07</p>
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RECOMMENDATION: (Summary) It is recommended City Council approve a council motion authorizing the rescission of Council Motion 2007-0231, and passage of a new council motion authorizing the abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of Clarborough Place from Clarborough Drive to the West Sam Houston Tollway Road, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834. **Parcels SY6-061 and AY7-257A, AY7-257B, and AY7-257C**

<p>Amount and Source of Funding: Not Applicable</p>	<p>F & A Budget:</p>
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SPECIFIC EXPLANATION:

Council Motion 2007-0231 authorized the abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of a cul-de-sac at the dead-end portion of Clarborough Place, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834 on request by M. Marvin Katz of Mayer, Brown, Rowe & Maw LLP, 700 Louisiana, Suite 3600, Houston, Texas, 77002, on behalf of Wal-Mart Real Estate Business Trust (Robert Stoker, Assistant Vice President). Subsequent to the passage of the motion, the applicant requested changes to the transaction. Since the requested changes are substantially different than the previous request, a new motion should be passed.

The applicant has now requested the abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of Clarborough Place from Clarborough Drive to the West Sam Houston Tollway Road. Further the applicant requested to construct two temporary cul-de-sacs in temporary construction easements at the dead-end portion of Clarborough Place in separate phases to facilitate traffic flow during the construction of the proposed Clarborough Place. Wal-Mart Real Estate Business Trust, the abutting property owner, plans to combine the subject property and its property to build a new store south of its existing store. Signs notifying the public of the pending street abandonment application were posted for at least thirty days.

This is Part One of a two-step process in which the applicant will first receive a City Council authorized council motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an ordinance effecting the abandonment and sale. The Joint Referral Committee reviewed and approved the request. Therefore, it is recommended:

s:\dob\sy6-061.rcl.doc CUIC #20DOB8737A

REQUIRED AUTHORIZATION

<p>F&A Director:</p>	<p>Other Authorization:</p>	<p>Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division</p>
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Date:	Subject: Request for the rescission of Council Motion 2007-0231, and passage of a new council motion authorizing the abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of Clarborough Place from Clarborough Drive to the West Sam Houston Tollway Road, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834. Parcels SY6-061 and AY7-257A, AY7-257B, and AY7-257C	Originator's Initials po	Page <u>2 of 2</u>
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1. The City abandon and sell Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of Clarborough Place from Clarborough Drive to the West Sam Houston Tollway Road, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834;
2. The applicant be required to construct two temporary cul-de-sacs in temporary construction easements at the dead-end portion of Clarborough Place in separate phases to facilitate traffic flow during the construction of the proposed Clarborough Place, all at no cost to the City and under the proper permits;
3. The applicant be required to (a) cut, plug, and abandon the existing 8-inch water line located in Clarborough Place/Drive from West Sam Houston Tollway to the proposed portion of Clarborough Place; (b) construct an 8-inch water line in the proposed portion of Clarborough Place to connect to the remaining 8-inch water line, (c) construct a 12-inch water line in the West Sam Houston Tollway service road connecting to two existing 12-inch water lines abutting the applicant's property along the West Sam Houston Tollway service road, and (d) cut, plug, and abandon or convert to private service the existing 30-inch storm sewer and adjacent inlets located in Clarborough Place/Drive, all at no cost to the City and under the proper permits. Construction of the 12-inch water line in the West Sam Houston Tollway service road must be completed with Texas Department of Transportation approval;
4. The applicant be required to eliminate the public street appearance of Clarborough Place at its intersection with the West Sam Houston Tollway, all at no cost to the City and under the proper permits;
5. The applicant be required to prepare drawings that show all public utilities (water, sanitary, and storm water) and street right-of- ways that are abandoned, relocated, and constructed as part of this project and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the council motion shall be attached to the plan set when it is submitted for plan review;
6. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Items 1, 2, 3, and 4 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide a LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for the transaction. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC;
7. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies and the Texas Department of Transportation;
8. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
9. The Legal Department be authorized to prepare the necessary transaction documents; and
10. Inasmuch as the value of the property interest is expected to exceed \$25,000.00, that City Council appoint the following two independent real estate appraisers to establish the value – Tom Bazan and John Chambless.

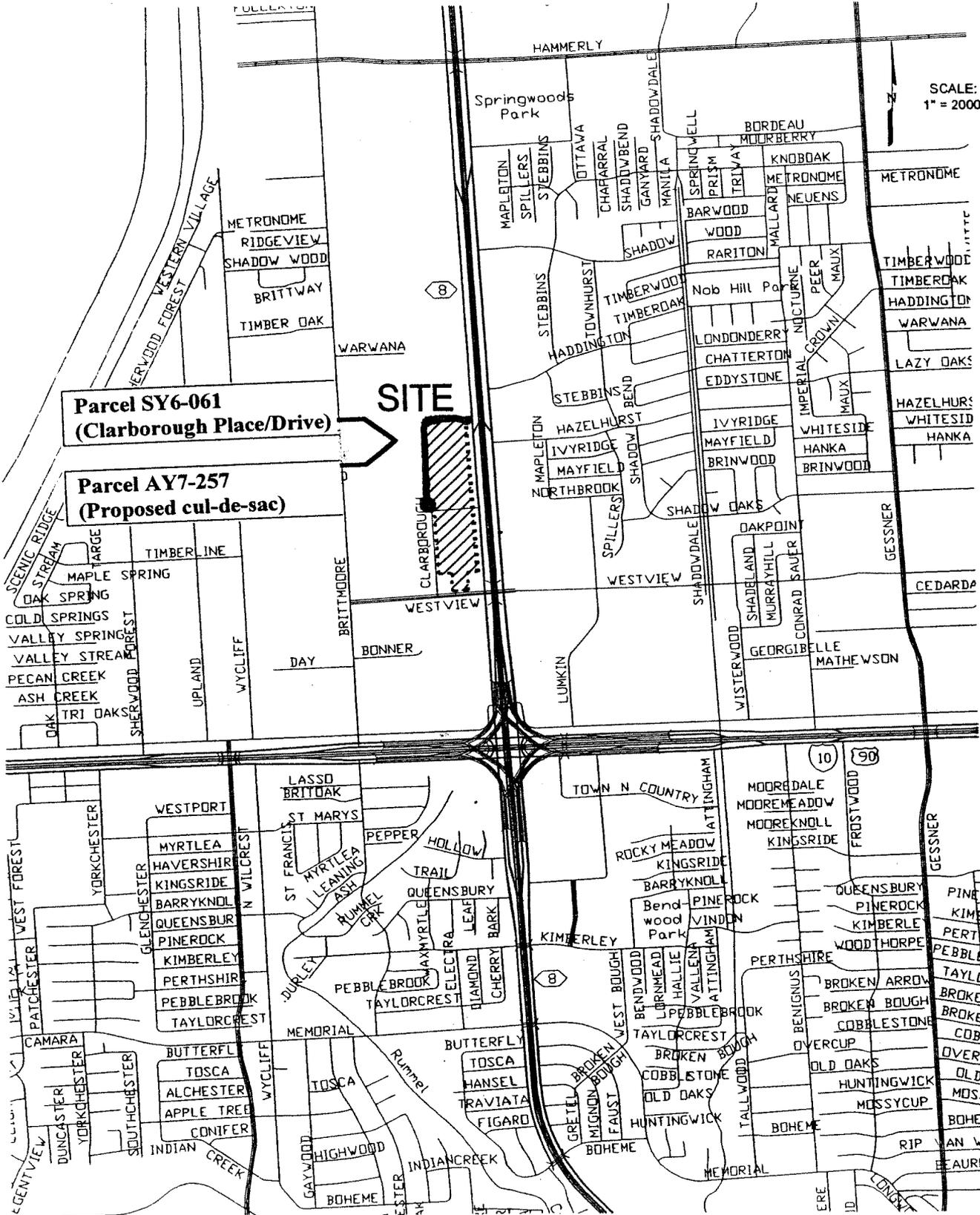
MSM: NPC: dob

c: Phil Boriskie
Raymond D. Chong P.E., P.T.O.E.
Marlene Gafrick
Daniel W. Krueger, P.E.

Arturo G. Michel
Reid K. Mrsny, P.E.
Marty Stein
Jeff Taylor

EXHIBIT A

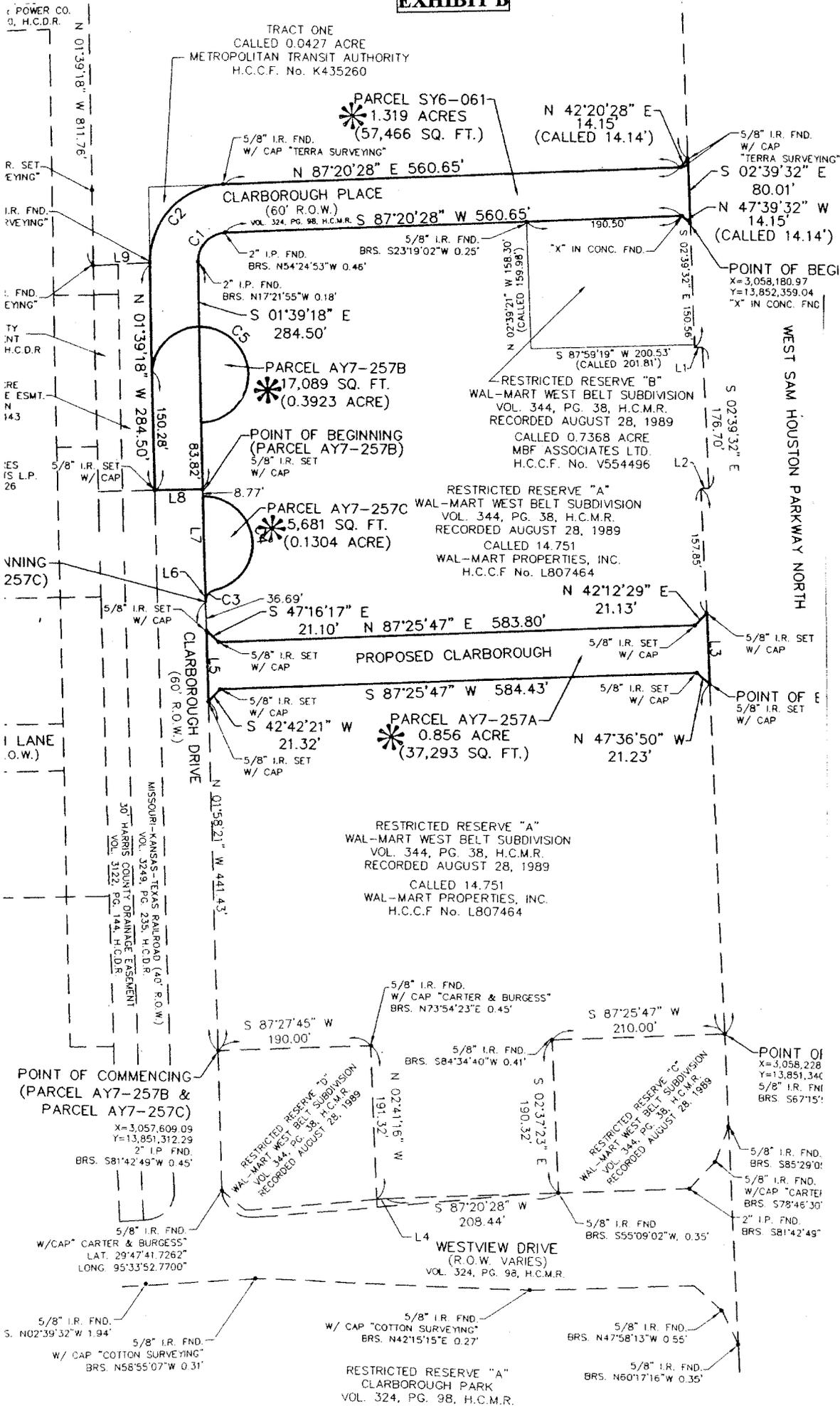
SCALE:
1" = 2000'



PER COUNCIL MOTION NO. 2007-0231

SUBJECT: Request for the abandonment and sale of Clarborough Place/Clarborough Drive, from Beltway 8 Frontage Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of a cul-de-sac at the dead-end portion of Clarborough Place, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834. **Parcels SY6-061 and AY7-257**

EXHIBIT B



SUBJECT: Request for the rescission of Council Motion 2007-0231, and passage of a new council motion authorizing the abandonment and sale of Clarborough Place/Clarborough Drive, from the West Sam Houston Tollway Service Road westward ±845 feet to a point ±923 feet north of Westview Drive, in exchange for the conveyance to the City of right-of-way for and construction of Clarborough Place from Clarborough Drive to the West Sam Houston Tollway Road, all located in Clarborough Park Subdivision, within the E. Williams Survey, A-834. **Parcels SY6-061 and AY7-257A, AY7-257B, and AY7-257C**

AS PROPOSED IN THE NEW MOTION

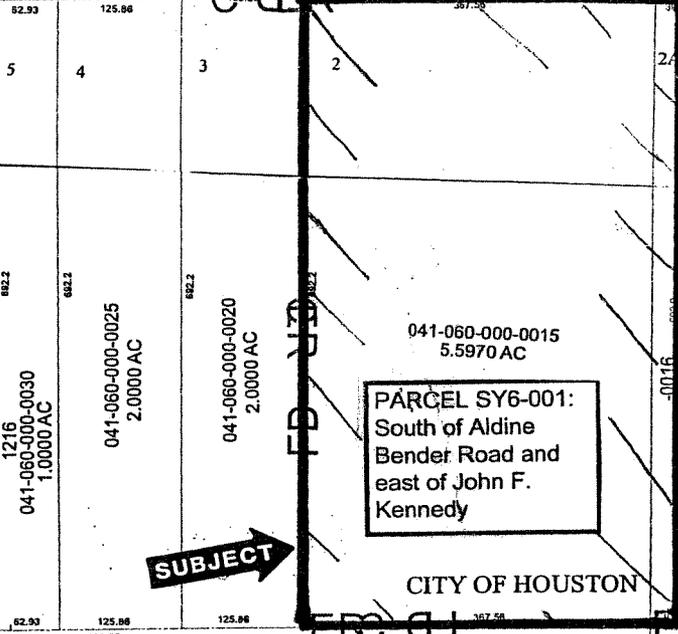
SUBJECT: Request for the sale of a ±5.5-acre tract of fee-owned land, south of Aldine Bender Road and east of John F. Kennedy Boulevard, located in the Willis Avery Survey, A-104. **Parcel SY6-001**

2K

U S Postal Service

CITY OF HOUSTON

480.19
HC ESD 1 (EMS)
HC ESD 10 (FIRE)



PARCEL SY6-001:
South of Aldine
Bender Road and
east of John F.
Kennedy

SUBJECT →

CITY OF HOUSTON

HC ESD 1 (EMS)
HC ESD 10 (FIRE)

Sunlake Limited

W. AVERY

1B

A-104

041-060-000-0031
50.9136 AC

HC ESD 1 (EMS)

CITY OF HOUSTON



5464B12

060-000-0011

EEC404

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7527

Subject: Purchase of Moving Services from the State of Texas Building and Procurement Commission's Contract for the Fire Department. S38-N22541

Category #
4

Page 1 of 1

Agenda Item

9

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 10, 2007

Agenda Date

JUL 18 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Karen Dupont Phone: (713) 859-4934
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of moving services in the total amount of \$55,271.67 from the State of Texas Building and Procurement Commission's Contract for the Fire Department.

Award Amount: \$55,271.67

F & A Budget

\$55,271.67 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of moving services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing program in the total amount of \$55,271.67 for the Fire Department and that authorization be given to issue a purchase order to the State contract vendor, Southwest Solutions Group, Inc.

The scope of work requires the contractor to provide all labor, equipment, material, tools, supervision and transportation necessary to move the Department's filing system that is used to store the Payroll and Human Resources documents/records from 1205 Dart to 500 Jefferson. The contractor will be required to disassemble and reassemble the Spacesaver Power Assist filing system in strict accordance with the manufacturer's standards. The contractor will also be required to reinforce the flooring and install new railings for the filing system at the new location.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Lena M. Farris
PR 10028546

CAF

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NDT

G.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7428

Subject: Formal Bids Received for Mountain Bicycles for the Police Department
S08-S22358

Category #
4

Page 1 of 2

Agenda Item

10

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

May 25, 2007

Agenda Date

JUL 18 2007

DIRECTOR'S SIGNATURE

M/D Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Bowling Bicycles, Inc. on its low overall bid in an amount not to exceed \$239,746.20 for mountain bicycles for the Police Department.

Estimated Spending Authority \$239,746.20

F & A Budget

\$239,746.20 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Bowling Bicycles, Inc. on its low overall bid in an amount not to exceed \$239,746.20 for mountain bicycles and replacement parts for the Police Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 60-month period. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This award consists of two price lists for bicycle parts and line items for mountain bicycles of various sizes. These bicycles will be used by the Department's Bicycle Patrol Division to patrol various locations within the City.

This is a price list and line item contract. Relative to a price list contract, the best discount, which determines the low bid for a price list, is the best bid received for quantities of high-use items selected as sample pricing items based on the current needs of the Department. The bid total for sample pricing items does not represent the total amount estimated to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the life of the contract based on the low bid submitted for the representative samples.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirteen prospective bidders viewed the solicitation document on SPD's e-bidding website and three bids were received as outlined below:

Bowling Bicycles, Inc.: Award on its low overall bid for line Item Nos. 1 3, 5, 7, 9, 10, 11, 13, 15, 17, and 19 (various sizes of mountain bicycles) and Price List Nos. 1 and 2, (Hans Johnson Bicycle and Giant Bicycle Tools Price Lists) which includes but are not limited to brake pads, brake cables, tires, handle bar chains, spokes and repair tools in an amount not to exceed \$239,746.20.

mgf

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

M/D

Date: 5/19/2007	Subject: Formal Bids Received for Mountain Bicycles for the Police Department S08-S22358	Originator's Initials AD	Page 2 of 2
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	<u>SAMPLE PRICING & LINE ITEM TOTAL</u>
1. <u>COMPANY</u> Patrol Bike Systems, Inc.	\$126,849.00 (Partial Bid/Higher Unit Price)
2. Leonard Consulting Group, Inc.	\$159,897.00 (Partial Bid/Higher Unit Price)
3. Bowling Bicycles, Inc.	\$239,746.20

Buyer: Angela Dunn

Attachment: M/WBE zero-percentage goal document approved by the Affirmative Action Division

Estimated Spending Authority:

DEPARTMENT	FY08	OUTYEARS	TOTAL
POLICE	\$47,949.24	\$191,796.96	\$239,746.20



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

To: Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

From: Angela Dunn

Date: November 10, 2006

Subject: MWBE Participation Form

I am requesting a **waiver** of the MWBE Goal: Yes No Type of Solicitation: Bid Proposal

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes No

I am requesting a **revision** of the MWBE Goal: Yes No Original Goal: 0% New Goal: 0%

If requesting a revision, how many solicitations were received: 0

Solicitation Number: S08-22111 (RE-BID-522358) ^{AE} Estimated Dollar Amount: \$326,928.00

Anticipated Advertisement Date: 11/26/2006 Solicitation Due Date: 1/4/2007

Goal On Last Contract: 0% Was Goal met: Yes No

If goal was not met, what did the vendor achieve: 0%

Name and Intent of this Solicitation:
Mountain Bicycles for The Houston Police Department.

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement):
(To be completed by SPD)
The mountain bikes will be shipped directly from the manufacturer professionally assembled and tuned with wheels properly tensioned to the City's dock. As such, there is no opportunity for M/WBE subcontracting.

Concurrence:

SPD Initiator

Division Manager

Velma Laws, Director
*Affirmative Action

Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

File location: <http://choice.net/spd/forms.html>

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7467

Subject: Sole Bid Received for MD Helicopter Replacement Parts for the Police Department
S09-S22416

Category #
4

Page 1 of 1

Agenda Item

11

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 09, 2007

Agenda Date

JUL 18 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

1

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Heli-Mart, Inc. on its sole bid in an amount not to exceed \$1, 275,000.00 for MD Helicopter replacement parts for the Police Department.

Estimated Spending Authority: \$1,275,000.00

F & A Budget

\$1,275,000.00 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Heli-Mart, Inc. on its sole bid in an amount not to exceed \$1,275,000.00 for MD Helicopter replacement parts for the Police Department. It is further requested that authorization be given to make purchases, as needed, for a 60-month period. This award consists of a price list of replacement parts, which include, but is not limited to oil filter elements, upper and lower bearings, elastomeric rings, fan belts, cotter pins, main rotor blades, main rotor folding pins, tail rotor blades and tail rotor bushings. The Police Department will use these parts to replace faulty parts in order to maintain the helicopters stationed at William P. Hobby Airport.

Due to Heli-Mart, Inc. voluntarily offering the City of Houston an additional discount off the price list to be awarded, the City will realize a cost savings of approximately \$165,750.00 over the 60-month period.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Twelve prospective bidders viewed the solicitation document on SPD's e-bidding website, and only one bid was received. Due to the specialization of these parts, this solicitation resulted in a sole bid.

Buyer: M.A. Cruz Goldman

Attachment: M/WBE zero-percent goal document approved by the Affirmative Action Division.

Estimated Spending Authority:

DEPARTMENT	FY08	OUT YEARS	TOTAL
Police	\$255,000.00	\$1,020,000.00	\$1,275,000.00

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MJG

MJG



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

To: Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

From: M. A. Cruz Goldman

Date: April 12, 2006

Subject: MWBE Participation Form

I am requesting a **waiver** of the MWBE Goal: Yes No Type of Solicitation: Bid Proposal

I am **requesting** a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes No 0%

I am requesting a **revision** of the MWBE Goal: Yes No Original Goal: 0% New Goal: 0%

If requesting a revision, how many solicitations were received: _____

Solicitation Number: S09-S22416 Estimated Dollar Amount: \$1,275,000.00

Anticipated Advertisement Date: 4/13/2006 Solicitation Due Date: 5/3/2006

Goal On Last Contract: 0% Was Goal met: Yes No

If goal was not met, what did the vendor achieve: _____

Name and Intent of this Solicitation:
This project covers the purchase of various replacement parts for the MD Helicopters.

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement):
(To be completed by SPD)
Bidders on the parts and labor must be FAA certified and its repair facilities approved as an Authorized Maintenance Center by the agency. At this moment there are no City-certified M/WBES that have received such certification. As a result, Supply Contracts has been granted a 0% M/WBE sign-off in the past. Please see the attachment hereto.

Concurrence:

SPD Initiator

Division Manager

FOR Velma Laws, Director
*Affirmative Action

Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7445

Subject: Purchase of Utility Vehicles for the Public Works & Engineering Department
S23-E22491-S

Category #
4

Page 1 of 1

Agenda Item

123

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

June 29, 2007

Agenda Date

JUL 18 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
E

For additional information contact:

Gary Norman Phone: (713) 837-7425
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of utility vehicles with on-demand six-wheel drive in the amount of \$59,065.56 from the State of Texas Building and Procurement Commission's Contract for the Public Works & Engineering Department.

Award Amount: \$59,065.56

F & A Budget

\$59,065.56 - PWE- Combined Utility System General Purpose Fund (8305)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of six utility vehicles with on-demand six-wheel drive in the amount of \$59,065.56 from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Public Works & Engineering Department and that authorization be given to issue a purchase order to the State contract supplier, Polaris Sales, Inc. These utility vehicles will be used in various maintenance functions for the new Northeast Water Treatment Plant, located at 12121 N. Sam Houston Parkway East.

This purchase consists of six gasoline-powered utility vehicles with on-demand six-wheel drive which will be used in various maintenance functions for the new Northeast Water Treatment Plant. The primary function for these utility vehicles will be to transport tools and testing instruments for the operations and maintenance personnel who drive around the plant and off-road to perform maintenance and take water samples. These utility vehicles will come with a full one-year warranty on workmanship and materials and the life expectancy is seven years. The Department has no other utility vehicles in its inventory at this facility.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Roy Breaux

REQUIRED AUTHORIZATION

F&A Director:

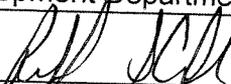
Other Authorization:

Other Authorization:

MT

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION 07-Costa Vizcaya**

HCD07-146

SUBJECT: Resolution approving issuance and sale by Houston Housing Finance Corporation of tax-exempt multifamily housing revenue bonds to finance acquisition, construction and equipping of Costa Vizcaya Apartments.		Page 1 of 2	Agenda Item # 13
FROM (Department or other point of origin): Richard Celli, Director Housing and Community Development Department		Origination Date 06-27-07	Agenda Date JUL 18 2007
DIRECTOR'S SIGNATURE: 		Council District affected: CM Lawrence - District A	
For additional information contact: Renee Carrington, Assistant Director Phone: 713-868-8338		Date and identification of prior authorizing Council action: None	
RECOMMENDATION: (Summary) Adoption of a Resolution Approving Issuance by Houston Housing Finance Corporation of one series of Multifamily Housing Revenue Bonds for Costa Vizcaya Apartments in an amount not to exceed \$15,000,000.			
Amount of Funding: There is no City funding or liability.		F&A Budget: 	
SOURCE OF FUNDING <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund			
<input checked="" type="checkbox"/> Other (Specify) Multifamily Housing Revenue Bonds			
SPECIFIC EXPLANATION: The City has created the Houston Housing Finance Corporation ("Corporation") to finance developments that provide persons of low and moderate income with decent, safe and sanitary housing at affordable prices. Costa Vizcaya, Ltd., a Texas limited partnership (the "Borrower"), the general partner of which is NRP Costa Vizcaya, LLC, whose members are J. David Heller, T. Richard Bailey, Jr. and Alan F. Scott, submitted an application to the Corporation for bond financing to acquire, construct and equip Costa Vizcaya Apartments. Costa Vizcaya Apartments is a 252-unit multifamily housing project. It will be located in Council District A, at 12020 North Gessner Road, Houston, Texas 77064. Pursuant to the Borrower's election of Priority 2 status under State law governing private activity bonds, the maximum rent charged for 100% of the units in the project will not exceed 30% of the income for a family whose income equals 60% of the area median family income. In addition, 100% of the units in the project must be reserved for families and individuals earning not more than 60% of the median gross income for the area. For purposes of maintaining the tax-exempt status of the bonds, the Borrower elected to set aside forty percent (40%) of the units in the project for tenants whose income does not exceed 60% of the area median income. The Borrower will seek approval from the Texas Department of Housing and Community Affairs of a Determination Notice for four percent (4%) Low Income Housing Tax Credits (LIHTC) on July 12, 2007. The Bonds will be secured by the Trust Estate as described under the Indenture with respect to the Bonds. The Borrower is a private, for-profit entity and the development is not exempt from the payment of ad valorem property taxes.			
REQUIRED AUTHORIZATION			
F&A Director:	Other Authorization:	Other Authorization:	

**REQUEST FOR COUNCIL ACTION
CATEGORY AND REQUIRED SIGNATURE AUTHORIZATION**

Date 7/9/07	Subject: An ordinance amending Chapter 45 of the Code of Ordinances, Houston, Texas, relating to Commercial Vehicle Weight, Width, Length and Height; Declaring Certain Conduct to be Unlawful and Providing a Penalty	Originator's Initials	Page <u>2</u> of <u>2</u>
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ESTABLISHES TRUCK ROUTES if, upon review of the permit, it is determined that the load's Weight, Width, Length or Height would require specific routing to prevent damage to city streets and property.

Specifies that, once approved, operation of an oversized commercial vehicle on any street not included in the approved route is prohibited and establishes a penalty for a violation of this provision.

ESCORTS REQUIRED based upon the specific routing requirement and review of the permit application.

Escorts shall be engaged at the permittee's own expense and the permittee must verify that the escorting peace officer has received appropriate training to perform the escort services required under the permit.

"NO THROUGH TRUCK" PROVISIONS include commercial vehicles that could cause damage to City streets due to the weight, width, length, or height of the commercial vehicle based on the characteristics of a specific roadway, street, bridge, or other infrastructure.

Adds the authority to seek civil penalties for damage based upon loads exceeding the maximum allowable width, length or height restrictions.

Increases the **minimum fine for violation of the article** to \$200.00.

1

Date
06-27-07

Subject: A Resolution approving issuance of bonds for Costa Vizcaya Apartments project.

**Originator's
Initials**
SCM

Page
2 of 2

On April 23, 2007, the Corporation held a public hearing as required by federal tax law. A final approval resolution authorizing the issuance of tax-exempt bonds in an aggregate principal amount not to exceed \$15,000,000 was approved by the Corporation's Board on June 27, 2007.

Although the City has no obligation or liability with respect to the Bonds, Federal tax law and the Corporation's Articles of Incorporation and Bylaws require City Council approval prior to the sale and delivery of such Bonds to the initial purchaser.

The Department recommends that City Council adopt the resolution to authorize the issuance of the Bonds. On June 29, 2007, this item was presented before the Housing and Community Development Committee and was favorably recommended to City Council.

MW:RC:RN

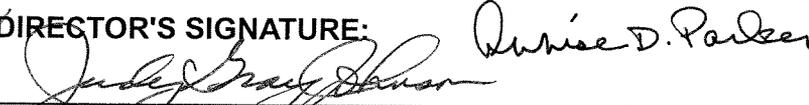
City Secretary
Mayor's Office
Legal Department

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending the second amended and restated ordinance relating to the issuance of City of Houston, Texas General Obligation Commercial Paper Notes, Series E.	Category #	Page 1 of <u>2</u>	Agenda Item # 16
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FROM (Department or other point of origin): Department of Finance and Administration and Office of the City Controller	Origination Date: July 11, 2007	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE: 	Council District Affected: All
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For additional information contact: Michael Shannon 713-221-0201 Jim Moncur 713-247-2950	Date and identification of prior authorizing Council action: 2002-1122 2003-1082 2005-1128
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RECOMMENDATION: (Summary) Approve an ordinance amending the second amended and restated ordinance with respect to the issuance of the City's General Obligation Commercial Paper Notes, Series E ("Series E") which includes authorizing the Credit Agreement, an Offering Memorandum, Issuing/Paying Agent Agreement, Dealer Agreement and other related documents, and authorizing updated Offering Memoranda for the City's General Obligation Commercial Paper Notes, Series D, Series E, and Series F.

Amount of Funding: Not Applicable	F&A Budget:
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Source of Funding: General Fund Grant Fund Enterprise Fund

Other (Specify

SPECIFIC EXPLANATION:

Background:
Beginning in 1993, City Council began authorizing commercial paper programs to provide appropriation capacity and cash for various needs of the City. The issuance of commercial paper has provided a more efficient, cost-effective method for accessing cash by lowering interest rate expenses and reducing the City's arbitrage rebate liability to the Internal Revenue Service. The commercial paper notes are later refinanced to fixed rate bonds with amortizations that match the average life of the equipment or project being financed.

The Series E Commercial Paper Program has been in place since November 26, 2002. The authorizing ordinance permits the issuance of commercial paper to pay contractual obligations for the acquisition of vehicles and equipment used in general City operations, including computer equipment and software, communications equipment and other specialized equipment for various City departments. The ordinance also allows for the issuance of Series E to pay contractual obligations for the construction of public works that are clearly authorized by the City Charter or state statute, owned and operated by the City and specifically approved by City Council and designated for payment with proceeds from the sale of Series E Notes. On November 12, 2003, the City Council adopted an ordinance increasing the program to \$155 million and on October 5, 2005 increased it again to \$225 million.

Request:
Currently, the City is authorized to issue up to \$225 million in Series E Commercial Paper, of which less than \$5 million is available for various upcoming funding needs of the City. Accordingly, the Finance Working Group ("FWG") is requesting a \$50 million increase in the Series E program. The current liquidity facility provided by Bank of America likewise would be increased by \$50 million, from \$225 to \$275 million to support the recently approved Equipment Acquisition Plans for rolling stock and information technology. The program is also used for METRO reimbursements and other reimbursable projects.

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:
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Date	Subject: Ordinance amending the second amended and restated ordinance relating to the issuance of City of Houston, Texas General Obligation Commercial Paper Notes, Series E.	Originator's Initials	Page <u>2</u> of <u>2</u>
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Bank of America has agreed to the increase in the liquidity facility for the Series E program and also has agreed to reduce the fee from 9 basis points to 8 basis points and extend the maturity by one year to October 2009. The FWG also recommends the City confirm the same dealers and issuing/paying agent currently authorized for the Series E program, which are JP Morgan Securities, Inc. and Rice Financial Products Company, and U.S. Bank National Association, respectively.

The Ordinance also authorizes the preparation and distribution of updated Offering Memoranda for the Series D, Series E, and Series F General Obligation Commercial Paper programs, as is customary, to provide more current information on the City.

This transaction was presented to Fiscal Affairs on July 9, 2007, was reported out favorably, and will close in August.

Recommendation:

The Finance Working Group recommends the approval of this item.

cc: Marty Stein, Mayor's Office
Arturo G. Michel, City Attorney

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance amending and restating the ordinance relating to the issuance of City of Houston, Texas General Obligation Commercial Paper Notes, Series G	Category #	Page 1 of <u>1</u>	Agenda Item # <u>17</u>
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FROM (Department or other point of origin): Department of Finance and Administration and Office of the City Controller	Origination Date: July 11, 2007	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE:  <i>Michael Shannon</i>	Council District Affected: All
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For additional information contact: Michael Shannon 713- 221-0201 Jim Moncur 713-247-2950	Date and identification of prior authorizing Council action 2006-1074
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RECOMMENDATION: (Summary) Approve an ordinance amending and restating the ordinance with respect to the City of Houston, Texas General Obligation Commercial Paper Notes, Series G ("Series G") in a principal amount not to exceed \$276 million, plus interest coverage, which approval includes the authorization of the Credit Agreement, Offering Memorandum, Issuing/Paying Agent Agreement, Dealer Agreement and other related documents.

Amount of Funding: Not Applicable	F&A Budget:
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Source of Funding: General Fund Grant Fund Enterprise Fund

Other (Specify)

SPECIFIC EXPLANATION:

Beginning in 1993, City Council began authorizing commercial paper programs to provide appropriation capacity and cash for various needs of the City. The issuance of commercial paper has provided a more efficient, cost-effective method for accessing cash by lowering interest rate expenses and reducing the City's arbitrage rebate liability to the Internal Revenue Service. The commercial paper notes are later refinanced to fixed rate bonds with amortizations that match the average life of the equipment or project being financed.

This Council action would increase the Series G Commercial Paper program by \$161 million, from \$115 million to \$276 million. This increase will provide additional appropriation capacity to support the Fiscal Year 2008 Capital Improvement Program (CIP). The Series G Commercial Paper program liquidity facility is currently provided by Dexia Credit Local and originated in October 2006. The current fee is 7.5 basis points and matures in November 2011. A similar facility for the Series D Commercial Paper program is provided by Depfa Bank in the amount of \$500 million. Taken together, these two programs support the \$776 million 2001 Voter Authorized Bond Election and the City's CIP projects. With this increase in the Series G program, all of the 2001 Bond Election authorization will be authorized to be issued as commercial paper (see Attachment A).

The Finance Working Group recommends the approval of the increase in the General Obligation Commercial Paper Notes, Series G, with Dexia Credit Local as the liquidity provider in a principal amount up to \$276 million, plus interest coverage, and further recommends the confirmation of Loop Capital Markets, LLC and Samuel A. Ramirez & Co., Inc as the commercial paper dealers. The issuing/paying agent will continue to be U.S. Bank National Association.

This transaction was presented to Fiscal Affairs on July 9, 2007, was reported out favorably, and will close in August.

cc: Marty Stein, Mayor's Office
Arturo G. Michel, City Attorney

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

ATTACHMENT A

2001 Voter Authorization Obligations

(in thousands)

<u>Program</u>	<u>2001 Election Authorization</u>	<u>Series D CP Authorized</u>	<u>Series G CP Authorized</u>	<u>Proposed Series G Increase</u>	<u>Total Series G</u>	<u>Total Series D and Series G</u>
Streets , Bridges, Traffic & Control and Storm Sewers/Drainage	474,000	317,080	57,000	99,920	156,920	474,000
Parks & Recreation	80,000	63,100	3,500	13,400	16,900	80,000
Police Department	26,000	5,320	10,000	10,680	20,680	26,000
Fire Department	56,000	34,420	8,000	13,580	21,580	56,000
Library	40,000	26,500	12,000	1,500	13,500	40,000
Permanent/General Improvements	80,000	45,310	20,000	14,690	34,690	80,000
Low Income Housing	20,000	8,270	4,500	7,230	11,730	20,000
Total	776,000	500,000	115,000	161,000	276,000	776,000

"CP" is Commercial Paper

NOTE: Permanent/General Government Improvements is comprised of Solid Waste, General Government and Health

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Agreements – 1859-Historic Hotels, Ltd. – William P. Hobby Airport (HOU)	Category #	Page 1 of 2	Agenda Item # 18
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FROM (Department or other point of origin): Houston Airport System	Origination Date July 5, 2007	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE: <i>Thib. Bacik</i> <i>Thib. Bacik For RMV</i>	Council District affected: I
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For additional information contact: Janet Schafer <i>JS</i> Phone: 281/233-1796 Lucy S. Ortiz	Date and identification of prior authorizing Council action: 12/14/82 (O) 82-1990
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AMOUNT & SOURCE OF FUNDING: REVENUE: \$14,718.00 per year (\$1,226.50 monthly)	Prior appropriations: N/A
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RECOMMENDATION: (Summary)

Enact an ordinance approving and authorizing a lease agreement between the City of Houston and 1859-Historic Hotels, Ltd. for certain premises at William P. Hobby Airport (HOU).

SPECIFIC EXPLANATION:

On December 14, 1982, the City enacted Ordinance No. 82-1990 approving a lease agreement with 1859-Historic Hotels, Ltd. (1859), successor-in-interest to Sunbelt Hotels, Inc., in which 1859 leased a greenbelt area containing approximately 61,325 square feet of land located North of Airport Blvd. to use as an automobile parking lot and landscaped greenbelt area. 1859 requests and the Department concurs that the 1982 lease agreement be terminated as of December 31, 2007 and 1859 be provided a new lease for their continued use of the greenbelt area.

The pertinent terms and conditions of the lease agreement are as follows:

1. Leased Premises: Approximately 61,325 square feet (approximately 1.408 acres) of improved land located adjacent to the Hilton Houston Hobby Airport Hotel at 8181 Airport Boulevard.
2. Term: Five consecutive years effective January 1, 2008.
3. Option: Subject to the Director's consent, one 5-year option period exercised by giving the Director prior written notice.

REQUIRED AUTHORIZATION		
F&A Budget:	Other Authorization:	Other Authorization:

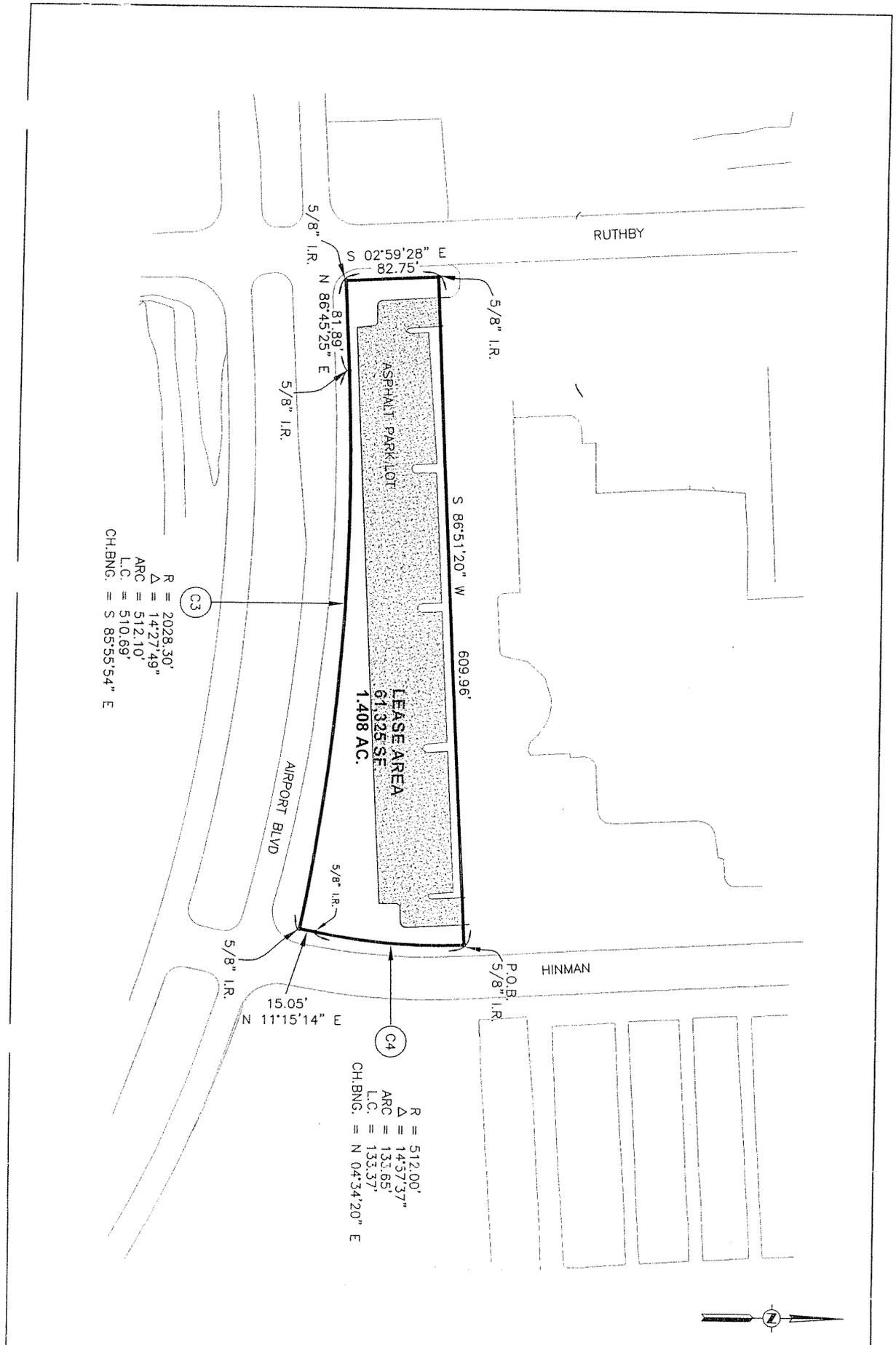
Date July 5, 2007	Subject: Lease Agreements – 1859-Historic Hotels, Ltd. – William P. Hobby Airport (HOU)	Originator's Initials	Page 2 of 2
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4. Use: Solely as a greenbelt and for automobile parking for its customers adjacent to 1859's hotel.
5. Rental: Based on appraisals effective January 1, 2008 until December 31, 2012, \$14,718.00 annually (\$1,226.50 monthly). If exercised, the rental amount increases by fifteen percent for the option period.
6. Performance Security: Upon the first occurrence of a late rental payment, Director may require Lessee to provide performance security in the total amount of \$2,453.00 which represents two month's rent.
7. Maintenance and Utilities: Lessee shall assume the entire responsibility, cost and expense for all repairs and maintenance of the Leased Premises and shall be responsible for all utilities, if any, furnished to the Leased Premises.
8. Indemnification and Insurance: Lessee shall indemnify and hold the City harmless and shall provide the required insurance in the limits as stated in the agreement.
9. Environmental Matters and Airport Rules: Lessee shall comply with all federal, state and local environmental laws and all airport policies and procedures.
10. Other: Lessee agrees to comply with all rules and regulations adopted by the airport and/or the FAA, and/or the TSA, and to comply with all federal, state and local statutes, ordinances, regulations and policies.

RMV:iso

Attachments

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo Michel
Ms. Kathy Elek
Ms. Sara S. Culbreth
Mr. Dave Arthur
Mr. Richard Fernandez
Mr. Charles Wall
Ms. Mary Case
Mr. Brian Rinehart
Ms. Janet Schafer
Ms. Ellen Erenbaum
Mr. Randy Rivin



	DRAWN BY: C.HUYNH	WILLIAM P. HOBBY 1859 HISTORIC HOTELS, LTD.	H.A.S. NO. HPR-37
	CHECKED BY: TONY BRADSHAW		C.I.P. NO.
DATE: 5-25-2007	SCALE: 1"=100'	DWG NAME:	PROJECT NO.
ASIS <small>ARCHITECTURAL SERVICES</small>			SHEET NO. 1 OF 1

SUBJECT: Lease Agreement with Duke Street Partners, LTD at 2102 Austin Street for the Planning and Development Services Division of Public Works and Engineering Department		Page 1 of 2	Agenda Item 19
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FROM (Department or other point of origin): Building Services Department	Origination Date 7-11-07	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Dadoush 7/5/07</i>	Council District affected: 1
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For additional information contact: Jacquelyn L. Nisby 713-247-1814	Date and identification of prior authorizing council action:
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RECOMMENDATION: Approve and authorize a Lease Agreement with Duke Street Partners, LTD, for the leased space at 2102 Austin Street, for the Planning and Development Services Division of the Public Works and Engineering Department and allocate funds.

Amount and Source Of Funding: Building Inspection Fund (2301): \$872,398.18 Initial Base Term	F&A Budget:
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SPECIFIC EXPLANATION: The Building Services Department recommends that City Council approve and authorize a Lease Agreement with Duke Street Partners, LTD for 15,673 square feet of leased space at 2102 Austin Street for the Planning and Development Services Division of the Public Works and Engineering Department (PWE). PWE will lease the entire facility.

The Planning and Development Services Division is presently housed at three locations: 3300 Main, 611 Walker, and 330 1/2 Courtlandt. Sections of the Office of the City Engineer and the Utility Planning & Analysis Branch of that Division propose to relocate to this leased space. The relocating sections will deliver various pre-construction services, including Street Cut permit review, taps and meter service and inspection. Service to the public and operational efficiency will be enhanced by the consolidation of these operations at one location. Submitted Building permit plan review related services will remain at 3300 Main.

The approval of this lease will also further facilitate the process of consolidating renewable permit issuance for many City Departments in a single location. On July 2, 2007, the Houston Fire Department's renewable permit staff relocated to 3300 Main. Further consolidation options are enhanced by freeing additional space at 3300 Main. The ultimate future goal is to consolidate all development related services at a single location to provide one-stop shopping to the public. In the meantime, PWE will utilize lease spaces to meet the needs of its customers.

The proposed Lease Agreement provides for a five-year lease term with one five-year renewal option at the current market rate, but not less than \$14.00 per square foot, unless the landlord and PWE mutually agree otherwise. The monthly rental for the first year will be \$14,366.92 (\$11.00 psf per year/ \$0.91 psf per month). The monthly payment shall increase every two years during the Lease Term, by the greater of 1.5%; or the increase in the Consumer Price Index for "All Urban Consumers, U.S City Average, All Items", issued by the Bureau of Labor Statistics of the United States Department of Labor.

REQUIRED AUTHORIZATION CUIC ID# 25 RB 16

Building Services Department: <i>Forest R. Christy, Jr.</i> Forest R. Christy, Jr., Director Real Estate Division		Public Works and Engineering Department: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director
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Date	SUBJECT: Lease Agreement with Duke Street Partners, LTD at 2102 Austin for the Planning and Development Services Division of Public Works and Engineering Department	Originator's Initials RB	Page 2 of 2
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The Landlord will build out the lease space to meet the requirements of PWE. Construction costs are estimated at \$814,238.85 (\$51.95 psf). The landlord will contribute a tenant improvement allowance of \$391,825.00 (\$25.00 psf) toward construction costs, and PWE will pay the balance.

PWE is responsible for maintenance, taxes, insurance and utilities. To lower PWE's maintenance costs during the lease term, the landlord will pay up to \$50,000.00 to repair and remodel the elevator, restrooms and fire escape to comply with the Americans with Disabilities Act, and up to \$7,800.00 to repair, seal, coat and re-stripe the parking lot to provide 67 parking spaces. Additionally, the landlord will make any necessary roof repairs and guarantee the roof during the first two years of the lease term, as well as repair and update the HVAC system to ensure that it is functional and adequately services the leased premises.

The new lease term will commence on the date the Certificate of Occupancy is signed by the City acknowledging that the landlord has substantially completed the improvements. The monthly rental for the new lease term will begin upon the Occupancy Date.

IZD:BC:JLN:RB:ddc

xc: Marty Stein, Anna Russell, Jacquelyn L. Nisby and Susan McMillan

SUBJECT: Approval of an agreement by and between the City of Houston, Texas, City of Houston Reinvestment Zone Number Eighteen, and the Fifth Ward Redevelopment Authority.	Category # 1	Page 1 of <u>1</u>	Agenda Item # 20
FROM: (Department or other point of origin): Finance & Administration	Origination Date July 5, 2007		Agenda Date JUL 18 2007
DIRECTOR'S SIGNATURE: 	Council Districts affected: B		
For additional information contact: Robert Fiederlein Phone: 713.837.9661 Tom Mesa Phone: 713.837.9857	Date and identification of prior authorizing Council Action:		

RECOMMENDATION: (Summary)
 Approval of an agreement by and between the City of Houston, Texas, City of Houston Reinvestment Zone Number Eighteen, and the Fifth Ward Redevelopment Authority, and providing authorization for the Redevelopment Authority to borrow up to \$1,000,000 for various operating and zone-related development costs.

Amount and Source of Funding: Not applicable	F & A Budget
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Specific Explanation:

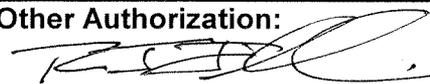
In July 1999, City Council approved Ordinance 99-766 creating Reinvestment Zone Number Eighteen (Fifth Ward TIRZ). On May 9, 2001, the City subsequently authorized the creation of the Fifth Ward Redevelopment Authority to aid, assist and act on behalf of the City and the Zone in the implementation of the TIRZ Project and Financing Plan.

Approval of the proposed agreement by and between the City, the Zone and the Redevelopment Authority, will empower the Redevelopment Authority to act on behalf of the City and the Zone: 1) in the implementation of the Project and Financing Plan; 2) in contracting with developers for projects provided in the approved Project Plan, subject to the approval of the Finance and Administration Department's TIRZ Program; 3) to issue or incur obligations in the form of Developer Reimbursement Agreements, or the issuance of Redevelopment Authority obligations consistent with this agreement; and 4) to use the Tax Increment generated by the TIRZ to pay for such obligations. Approval of this agreement will also provide the Redevelopment Authority authorization to borrow a maximum of \$1,000,000 to provide capital for various operating and Zone-related costs. The agreement also provides that the Redevelopment Authority will provide the City with annual audits.

City Council will approve an annual budget for the Authority beginning with Fiscal Year 2008.

This agreement is similar to agreements in place with the other redevelopment authorities associated with the City's TIRZs.

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization: 	Other Authorization: 
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TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance consenting to the creation of the Harris County Road Improvement District #1		Category #	Page 1 of 2	Agenda Item # <i>21</i>
FROM (Department or other point of origin): Planning and Development		Origination Date June 22, 2007		Agenda Date JUL 18 2007
DIRECTOR'S SIGNATURE: <i>M/S Maureen K. Stefick</i>		Council District affected: E		
For additional information contact: Gavin Dillingham Phone: 713-837-7879		Date and identification of prior authorizing Council action:		

RECOMMENDATION: (Summary) Approve ordinance consenting to the creation of the Harris County Road Improvement District #1.

Amount and Source of Funding: N/A

F & A Budget:

SPECIFIC EXPLANATION:

Road improvement districts are special districts created by the Texas legislature. Generally, these districts are empowered to promote, develop, encourage and maintain employment, commerce transportation, housing, tourism, recreation, arts, entertainment, economic development, safety and public welfare. Typically, road improvement districts are given the power to finance their operations by issuing bonds or other obligations, payable in whole or in part from ad valorem taxes, assessments, impact fees or other funds of the District to provide improvements and services. Districts may levy a tax only after holding an election within the district.

The Planning and Development Department recommends City Council consent to the creation of the following district.

Harris County Road Improvement District #1: Authorized by the 78th Legislature in 2003, this district is located entirely in District E. This district will be created in an area that was annexed into the city for limited purposes in conjunction with a strategic partnership agreement with the Clearbrook City Municipal Utility District. Following city consent to the creation of the district, the District's Board of Directors will adopt a service plan that is expected to focus on providing road projects and other improvements to underserved areas in the district.

For this district, the City provides its consent under the following conditions:

1. Bonds will be issued by the District only for the purposes provided in the legislation creating the District. The District must obtain the approval of the City Council of the City of Houston for the issuance of bonds for any improvement project. In lieu of approval of an individual bond issue by the City Council of the City of Houston, the district may obtain approval from the governing body of the City of Houston of a capital improvements budget for a period not to exceed five years setting forth the projects for which the District proposes to issue its bonds. The District shall submit a description of proposed projects and proposed budget to the Director of the Department of Public Works and Engineering of the City of Houston for coordination with the City's capital improvement program and approval by the Director. In the event the District obtains approval of a capital improvements budget, it may issue bonds to finance any capital improvements specified in the approved budget without further approval from the City of Houston.
2. No land will be added or annexed to the district until the City of Houston has given its written consent by Ordinance of the City council to such addition or annexation.
3. Before any construction begins within the district, the district must submit to the Director of the Department of Public Works and Engineering of the City of Houston all plans and specifications for the construction of road facilities to serve the District. Further, they must obtain the approval of such plans and specifications from the City of Houston. All roads and facilities constructed by the district must comply with the City of Houston's standard plans and specifications. Finally, prior to construction of such facilities, the District must give written notice to the director of Public Works and Engineering.

M/S

4. The City Council of the City of Houston may, by a vote of no less than two-thirds (2/3rds) of the entire membership, adopt an ordinance dissolving the District. Upon the adoption of such an ordinance, the District shall be dissolved, and, in accordance with Sections 375.263 and 43.075, Local Government Code, the City of Houston shall (1) succeed to the property and assets of the District and (2) assume all debts, obligations and liabilities of the district.

CC: Marty Stein, Agenda Director Judy Gray Johnson, Director, Finance and Admin.
Arturo Michel, City Attorney Michael Marcotte, Director, PWE

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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SUBJECT: An ordinance approving and authorizing a \$4,250,000 contract between the City of Houston and Reed Road Senior Residential L.P. using Federal HOME funds to assist in the development of a 180-unit affordable senior housing apartment complex.	Category #	Page 1 of 2	Agenda Item # 22

FROM (Department or other point of origin): Richard S. Celli Director, Housing and Community Development Department	Origination Date: 06/20/07	Agenda Date: JUL 18 2007
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DIRECTOR'S SIGNATURE:	Council District affected: District "D" – Ada Edwards
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For additional information contact: Donald Sampley, Asst. Director Phone: 713-868-8458	Date and identification of prior authorizing Council action: None
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RECOMMENDATION: (Summary)
The Department recommends approval of an ordinance authorizing a \$4,250,000.00, contract between the City of Houston and Reed Road Senior Residential L.P., using Federal HOME funds to assist in the development of a 180-unit affordable senior housing apartment complex.

Amount of Funding: \$4,250,000	F&A Budget:
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund

Other (Specify) HOME FUND (5000)

SPECIFIC EXPLANATION:
The applicant of the City's Performance Based Loan (PBL) is Reed Road Senior Residential L.P., (Reed Road), a Texas limited partnership formed to facilitate the construction of the 180-unit Mariposa at Reed Road. Reed Road Senior Residential L.P. has been awarded a tax-credit commitment from Texas Department of Housing and Community Affairs, from which \$11,927,719 in equity proceeds will be obtained. Apollo Housing Capital LLC, a national tax-credit syndicator, will purchase the tax credits. Additional financing will be provided by City HOME funds and J.P. Morgan Chase bank.

The apartments will be located in District "D" on an 14.52-acre tract, in the 2800 Block of Reed Road, Houston, TX 77051. Housing will be targeted to low-income seniors earning less than 50%, and 60% of area median income.

The PBL will have an interest rate of 0% with a term of twenty (20) years. A first mortgage loan from J.P. Morgan Chase in the amount of \$5,519,000 will be used to assist in funding this project. The City Performance Based Loan (PBL) will have an interest rate of 0% with a term of 20 years. The PBL will be forgiven at the end of the 20-year period so long as the Borrower complies with the terms and conditions of the loan agreement, and the property is in full compliance with HUD regulations and the City of Houston's loan agreement. The City note will be secured by a 2nd lien on the subject property. The City Land Use Restriction Agreement will be superior to the J. P. Morgan Chase 1st lien. The affordability period will be 20 years.

The key principal of Reed Road Senior Residential L.P. is Stuart B. Shaw, Manager.

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:

Date 06/20/07	Subject: An ordinance approving and authorizing a \$4,250,000 contract between the City of Houston and Reed Road Senior Residential L.P. using Federal HOME funds to assist in the development of a 180-unit affordable senior housing apartment complex.	Originator's Initials 	Page <u>2 of 2</u>
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Sources of Funds:

General Partner Capital:	\$ 1,378,011
City of Houston Loan:	4,250,000
JP Morgan Chase:	5,519,000
Tax Credit Equity:	<u>11,927,719</u>
TOTAL:	\$23,074,730

Uses of Funds:

Land:	\$ 1,414,641
Soft Costs:	8,260,043
Hard Costs:	<u>13,400,046</u>
TOTAL:	\$23,074,730

The Project is consistent with the City's Consolidated Plan to provide affordable housing for low-income seniors.

On February 22, 2007, HCDD presented, to the Housing and Community Development Committee, the total project cost at \$22,074,730.00 and voted to forward the project to Council for consideration, with recommendation.

On June 13, 2007, HCDD presented the total project cost at \$23,074,730 and voted to forward the project to Council for consideration, with recommendation.

The Department recommends approval of an ordinance approving and authorizing a \$4,250,000 contract between the City of Houston and Reed Road Senior Residential L.P., using Federal HOME Housing Funds to assist in the development of a 180-unit affordable senior housing apartment complex.

RC, DS, Is

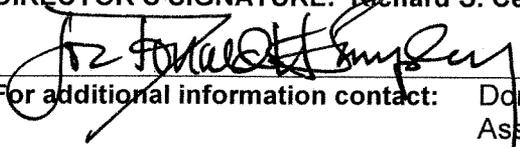
Cc: Mayor's Office
City Secretary
Legal Department
City Controller

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

HCDD07-128a R

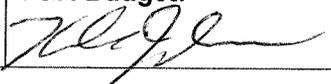
SUBJECT: Ordinance to authorize a contract between the City of Houston and Talento Bilingue de Houston.	Category #	Page 1 of 1	Agenda Item # 23
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FROM (Department or other point of origin): Housing and Community Development Department	Origination Date 06/12/07	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE: Richard S. Celli, Director 	Council District affected: District H
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For additional information contact: Donald H. Sampley Assistant Director Phone: 713-868-8458	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary)
The Housing and Community Development Department recommends approval of an ordinance to authorize a contract between the City of Houston and Talento Bilingue de Houston.

AMOUNT AND SOURCE OF FUNDING: \$220,000 — CDBG Fund	F&A Budget: 
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SPECIFIC EXPLANATION:

The Housing and Community Development Department (HCDD) requests approval of a contract to fund the construction of the Talento Bilingue de Houston (TBH) Rehearsal Hall addition at 333 S. Jensen Street, as detailed in the attached "Scope of Work." The Building is owned by the City of Houston, and the landlord's obligation is met by budgeted Convention and Entertainment Facilities (CEFD) funds. The construction contract will be administered by CEFD.

The project has been selected for funding because TBH provides Cultural Arts programs to the Houston East End community. The contract amount will allow for the construction of a new 2,200 square foot Rehearsal Hall connected to the existing 14,000 square foot building. The addition will consist of a rehearsal space, storage area, and small office. The project will serve approximately 2,800 low- to moderate-income families per year.

City Council approved a contract for the same purpose on July 5, 2005, which has expired without funding in June 2006.

The Housing and Community Development Committee reviewed this item on March 19, 2007, and recommended it for favorable consideration.

RCS: DS: jt
C: F&A, LGL, CSC, MYR
Attachment

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization: 

EXHIBIT B

SCOPE OF WORK

I. PURPOSE OF GRANT

The project provides funding new construction of a 2,200 square feet addition to the cultural art center known as Talento Biligue de Houston located at 333 S. Jensen Street, Houston, Texas 77003.

II. DESCRIPTION OF SERVICES

Building addition will consist of the following:

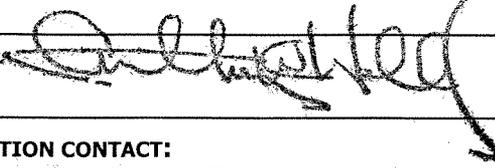
- Compliance with ADA and TAS requirements
- Site Preparation including underground drainage modifications
- Concrete Foundations
- Steel and wood framing, insulation, and weatherproofing
- Doors, Stucco, painting, ceilings, lighting
- Roofing
- Supervision

III. DAVIS BACON ACT

This project is subject to the requirements of the Davis Bacon Act. Talento Bilingue de Houston shall comply with these requirements and shall include the provisions in every contract and lower – tier subcontract, which is entered into for the construction or development of this project. A program monitor of HCDD shall monitor these provisions.

IV. WORK AND PAYMENT SCHEDULES

Talento Bilingue de Houston shall submit a detailed work schedule and a payment schedule for the work to be done on or before two (2) weeks before the start of the work. The construction work is anticipated to begin within thirty (30) days from the date the foregoing Contract is approved by City Council.

SUBJECT: Approve a contract for professional services with the Greater Houston Partnership.		Category #	Page 1 of 1	AGENDA ITEM # 24
FROM (DEPARTMENT OR OTHER POINT OF ORIGIN): Mayor's Office		ORIGINATION DATE July 12, 2007		AGENDA DATE JUL 18 2007
DIRECTOR'S SIGNATURE: Anthony Hall 		COUNCIL DISTRICT AFFECTED: All		
FOR ADDITIONAL INFORMATION CONTACT: Saba Abashawl Steve Lewis Tom Mesa 281/233-1829 713/853-8888 713/837-9857		DATE AND IDENTIFICATION OF PRIOR AUTHORIZING COUNCIL ACTION: 06-0768,05-1372, 05-0246, 02-1103, 00-1029, 98-733, 97-1382, 96,838, 95-767		

RECOMMENDATION: Approve an ordinance authorizing a contract for professional services with the Greater Houston Partnership.

AMOUNT AND F&A BUDGET: \$785,000.00

SOURCE OF FUNDING \$392,500 Houston Airport System (HAS) Revenue Fund (8001)
\$392,500 C&E Facility Revenue Fund (8601)

SPECIFIC EXPLANATIONS:

The Greater Houston Partnership (GHP) is supported by funding from the City of Houston, Harris County and many of the city's private corporations. GHP has worked since 1991 to promote Houston as the location of choice for conducting business, with a focus on increasing Houston's economic prosperity. GHP's Economic Development Division, that includes its World Trade group, works to solicit site consultants and corporations to look to Houston for both expansions and relocations, to increase investment efforts and job creation in Houston and to provide various professional services to further augment the City's economic development efforts. The collateral impact of these GHP activities, plus the direct effect of publicizing and promoting Houston in GHP publications, web sites and other communications media, will promote and encourage tourism for the Houston area and is expected to enhance the City's ability to market its convention facilities.

The Partnership will make its research capabilities available on a systematic basis to the Convention and Entertainment Facilities Department, Houston Airport System and the Greater Houston Convention and Visitors Bureau to facilitate the creation of professionally done, sophisticated marketing reports that include economic and demographic data, which will be used for air service development efforts and as sales and marketing tools to sell the benefits and capabilities of the City to various convention, corporate meeting and sports related groups that represent potential clients for the George R. Brown Convention Center.

GHP will actively participate and coordinate activities with the Houston Minority Business Council as part of a joint effort to promote minority businesses in the Houston area. This effort will continue to support the employment of minority firms that provide professional and other services. The Partnership efforts in this regard will include the deliverables agreed upon by the Partnership and the Houston Minority Business Council.

As part of the scope of services included in this contract, GHP will organize and conduct a comprehensive program designed to stimulate international infrastructure and trade development including; air route and air cargo development, commercial services support for international institutions in Houston, international business development, international publicity, promotional events supporting air carriers and travel, and outbound trade missions to regions determined by HAS.

Pursuant to the contract, GHP will continue to provide the City with quarterly reports and will have a contract goal for M/WBE at 15%. Approval of the contract is recommended.

REQUIRED AUTHORIZATION

NOT

F&A DIRECTOR:	OTHER AUTHORIZATION:  Richard Vacar, Director Aviation Department 	OTHER AUTHORIZATION:  Dawn Ullrich, Director Convention & Entertainment Facilities Department
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Contract Audit: Audit Summary for Total Contract



[Contract Main](#) | [View Contract](#) | [Subcontractors](#) | [Audit List](#) | **[Audit Summary](#)** | [Associated Records](#)

C61640: Professional Services with the Greater Houston Partnership
 Prime: Greater Houston Partnership

Status: Open
 11/1/2005 - 12/14/2008
 Current Value: \$493,333

Audit Summary

	Contracted	Actual
Prime Payments	\$493,333.33	\$370,000.00 (Payment History)
Certified Payments	\$74,000.00	\$88,245.24
Participation Rate	15.000%	23.850% (8.850% above goal)
Prime % Payment of Contract		
	75.0%	
Subcontractor % Payment of Contract		
	119.3%	

[View First Audit - November 2005](#)

[View Last Audit - June 2007](#)

Audit Subcontractor Details For Entire Contract

Subcontractor	Cert	Inc. in Goal	Goal Type	Contracted Percent	Actual Percent	Actual Payments
Agundez Inc. Oscar Agundez, Jr. P 713-759-0115, F 713-759-0116 centrgraph@aol.com	Yes	Yes	MWBE	2.000%	7.270%	\$26,904.00
Casas Catering Patti Gomez P 713-852-2727, F 713-867-4989 pgomez@casascatering.com	No	Yes	MWBE	2.000%	0.990%	\$3,476.31
Computer Tech Ming Chung P 713-444-5566	No	Yes	MWBE	2.000%	4.400%	\$16,310.04
Nicholas/Earth Printing, LLC Arita C. Nicholas P 281-620-3800, F 713-880-4095 anicholas@nicholasearth.com	No	Yes	MWBE	2.000%	1.130%	\$4,200.00
Nodus Solutions Mike Siegel P 281-655-9442, F 281-257-1609 msiegel@nodusolutions.com	No	Yes	MWBE	2.000%	0.000%	\$0.00
Suma Partners, LP Andrea Lebovitz P 713-623-4880, F 832-201-0521 akates@suma.com	Yes	Yes	MWBE	2.000%	8.250%	\$30,592.50
Tejas Office Products, Inc. Lupo Fraga P 713-854-6004 Ext. 4522, F 713-854-5567 ofrap@tejasoffice.com	Yes	Yes	MWBE	2.000%	1.300%	\$4,873.39
TetraClean L.P. Tiffany Rivers P 281-558-7373, F 281-558-7379 trivers@tetraclean.com	No	Yes	MWBE	1.000%	0.530%	\$1,985.00

Click subcontractor name to view payment history for this contract. Click contact person's name to send them a message.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

Revised

k

SUBJECT: Third Amendment to the Electricity Supply Agreement between the City of Houston and the Texas General Land Office

Page
1 of 2

Agenda Item
25

FROM (Department or other point of origin):
Building Services Department

Origination Date
7/17/07

Agenda Date
JUL 18 2007

DIRECTOR'S SIGNATURE:

M. Z. Dadoush
Missa Z. Dadoush, P.E. *Wendy Heger*

Council District affected:

ALL

For additional information contact:

Jacquelyn L. Nisby *JLN* Phone: 713-247-1814
Felix C. Johnson, P.E. Phone: 713-437-6235

Date and identification of prior authorizing Council action:

Ordinance No. 2004-273; April 14, 2004
Ordinance No. 2006-014; January 4, 2006
Ordinance No. 2006-439; May 3, 2006

RECOMMENDATION: Approve and authorize a Third Amendment to the Electricity Supply Agreement to provide wind and other renewable energy sources to the City's electricity portfolio and increase the maximum contract amount.

Amount and Source of Funding: Additional spending authority: \$628,000,000
Central Services Revolving Fund (1002)

F&A Budget:

SPECIFIC EXPLANATION: The Building Services Department recommends that City Council approve and authorize a Third Amendment to the Electricity Supply Agreement with the Texas General Land Office (GLO) to provide wind and other renewable energy sources to be a major part of the City's electricity portfolio, to extend the term of the contract from June 30, 2009 to June 30, 2013 and increase the maximum contract amount from \$740,000,000 to \$1,368,000,000.

The Building Services Department, in collaboration with its legal counsel, has designed and negotiated a "structure" by which the City can transact long-term wind power deals at competitive prices. The structure enables the City to add diversity to its fuel sources from traditional fossil fuels, place long-term hedges and remove volatility from our budgets, and collect significant renewable credits for the City. The City of Houston can bring in up to 50 megawatts or one-third of its load from wind power brokered by J Aron/Goldman Sachs, with the strategy of triggering additional wind in blocks of 10 megawatts.

Additionally, the structure allows the City to negotiate Price and Volume with a third party wholesale provider under set pre-approved credit and transaction terms. Once the City and third party wholesaler agree to a fixed price and volume, Reliant Energy will transact the deal on behalf of the City and flow it through the General Land Office for delivery to City facilities. Merrill Lynch will act as a credit sleeve for Reliant Energy and guarantee both the wholesale and retail components of the transaction. Ultimately the City has the ability to bring in up to 80 megawatts or half its load from the wholesale market.

PREVIOUS HISTORY AND SCOPE: On April 14, 2004, City Council approved the Electricity Supply Agreement with the GLO to provide electric power supply to all City facilities and set a maximum contract amount of \$320 million.

REQUIRED AUTHORIZATION

CUIC 25FJ 1954

Other Authorization:

Other Authorization:

Other Authorization:

Date:	Subject: Third Amendment to the Electricity Supply Agreement between the City of Houston and the Texas General Land Office	Page 2 of 2
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On January 4, 2006, City Council approved a First Amendment to the Electric Supply Agreement that includes the following:

- Extended the contract term two years (from June 30, 2007 to June 30, 2009).
- Contained options that offer the ability to manage energy costs of the FY06 budget.
- Provided additional risk management tools that allowed the City greater flexibility to manage exposure to natural gas prices.
- Allowed the City, at its option, to generate its own power or diversify its supply of power.
- Utilize remote energy usage monitoring for the large points of delivery.

On May 3, 2006, City Council approved the Second Amendment to the Electricity Supply Agreement to provide a new price protection mechanism for electricity purchases and permit the City to take advantage of new price savings in the market by allowing the City the ability to fix the cost to convert natural gas to electricity without simultaneously being required to "lock in" or fix the price of natural gas.

M/WBE INFORMATION: A M/WBE goal of 15% of the City's electricity volume has been established for this additional appropriation. The GLO will utilize the M/WBEs in the original contract to achieve this goal.

The original contract has a 15% M/WBE goal. To date, the GLO has achieved 15.2% M/WBE participation.

IZD:FCJ:JLN:NM:fcj

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract with Tutor.com, Inc., for the provision of live homework help services.		Category	Page 1 of 1	Agenda Item 27
FROM (Department or other point of origin): Library Department		Origination Date 6-22-07		Agenda Date JUL 18 2007
MS DIRECTOR'S SIGNATURE: <i>Rhea Brown Lawson</i> Rhea Brown Lawson, Ph.D., Director	Council District affected: All			
	For additional information contact: Greg Simpson Phone: 832-393-1333		Date and identification of prior authorizing Council action: n/a	
RECOMMENDATION: Adopt an ordinance approving a contract with Tutor.com, Inc., for the provision of online, live homework help for students in grades 4 through 12.				
Amount and Source of Funding: General Fund (1000)			Maximum contract amount (5 years): \$994,615	
F&A Budget:				
SPECIFIC EXPLANATION: It is recommended that Council approve a contract authorizing a one year contract with four one year renewals with Tutor.com, Inc., for the provision of online, live homework help to students who have a Houston Public Library card (Power Card). Tutor.com provides live homework help to students in grades 4 – 12, Sunday through Thursday, from 3 p.m. to 9 p.m. Sessions are one-to-one with no time constraints. Help is available in math, science, social studies and English, including AP material. Tutoring is available in Spanish for math and science. The service is free for all Houston Public Library Power Card holders. It can be accessed in the Library as well as from home. The tutors are certified teachers, university professors, graduate school students, students at accredited four-year colleges and professionals who are experts in their fields. All of the Live Homework Help tutors have received a 7-year criminal background check and reference check from General Information Services (GIS), a third-party background check company (students' credentials are confirmed by their university) and have been certified through the Tutor.com Training Program. The Library has used this service for three years, paid for with private funds and other funding sources. Due to the limitations of those funds, our agreements had restrictions, such as 20 minute limits on the length of a single tutoring session. The success of the service has led us to include this in our operating budget, so that we can fund the service fully and on a regular basis. Last year, over 13,000 students used the service, with positive feedback from students, parents and teachers.				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		CUIC ID #

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7481

Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Vehicle Towing and Storage (Boot Program) for the Convention & Entertainment Facilities Department
S28-T22301

Category #
4

Page 1 of 2

Agenda Item

28

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

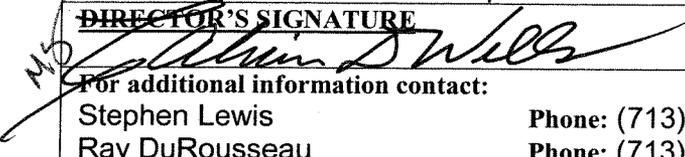
Origination Date

June 07, 2007

Agenda Date

JUL 18 2007

DIRECTOR'S SIGNATURE

MS


Council District(s) affected

1

For additional information contact:

Stephen Lewis Phone: (713) 853-8888
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Milam Street Auto Storage, Inc. for vehicle towing and storage (Boot Program) for the Convention & Entertainment Facilities Department.

None Required (Revenue)

F & A Budget

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year revenue/concession contract, with two one-year options to extend, for a total five-year term, to the best respondent, Milam Street Auto Storage, Inc. for the Convention & Entertainment Facilities Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor.

The scope of work requires the contractor to provide all labor, materials, equipment, storage facility(s), transportation and supervision necessary to provide towing and storage services for the Boot Program by transporting delinquent vehicles located within the contract service area to a storage lot that is operated and maintained by the contractor. The contractor is required to have, and must keep current, a vehicle storage facility license that is issued by the Texas Department of Transportation's Motor Carrier Division and/or authorization from the Houston Police Department, as applicable.

This Request for Proposal was advertised and evaluated in accordance with the requirements of the State of Texas bid laws, and as a result, one proposal was received from Milam Street Auto Storage, Inc. Additionally, the Strategic Purchasing Division performed research by contacting other local companies in the towing industry, and was informed by the companies that they could not meet the minimum requirements outlined in the scope of work; therefore they chose not to submit proposals. The evaluation committee consisted of three Convention & Entertainment Facilities Department employees. The proposal was evaluated based on the following criteria:

1. Conformance to Scope of Work
2. Total Service and Support Commitment
3. Experience and Reputation
4. Reasonableness of Fees
5. Financial Strength

MS

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NOT

6-11-07

0

Date: 6/7/2007	Subject: Approve an Ordinance Awarding a Contract to the Best Respondent for Vehicle Towing and Storage (Boot Program) for the Convention & Entertainment Facilities Department S28-T22301	Originator's Initials DM	Page 2 of 2
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M/WBE Subcontracting:

This Request for Proposal was issued as a goal-oriented contract with an 11% M/WBE participation level. Milam Street Auto Storage, Inc. has designated the below-named company as its certified M/WBE subcontractor.

Name

✓ Dave's Wrecker Service, Inc.

Type of Work

Towing Services

Buyer: Douglas Moore

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Contract with Houston-Galveston Area Council for Public Information Program for Hurricane Evacuation Education Program.	Category	Page 1 of 2	Agenda Item # 29
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 6-14-07	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: All
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For additional information contact: John R. Whaley, P.E. Phone: (713) 881-3000 Assistant Director	Date and identification of prior authorizing Council action: None
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RECOMMENDATION: (Summary)

Adopt an ordinance approving an agreement between the City of Houston and the Houston-Galveston Area Council (H-GAC) and approving the allocation of funds to create an information campaign to inform the public about hurricane evacuation procedures and plans.

Amount and Source of Funding: \$34,855.00 from the Greater Houston Transportation and Emergency Center Fund No. 2402.	F&A Budget:
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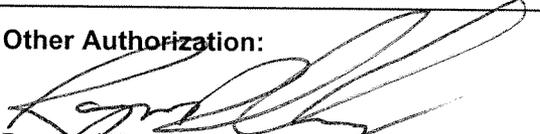
SPECIFIC EXPLANATION:

Many new plans and procedures have been developed to improve evacuation during a hurricane threat to the region since the Hurricane Rita evacuation occurred. There is a need to inform the public on the procedures and resources that are now available to aid in evacuation from the Houston region.

The Houston-Galveston Area Council has identified \$224,275.00 of federal funding to create a media public outreach campaign that will inform the public about the plans that have been set in place for evacuating the region and the actions they should take as a hurricane approaches the south Texas coast.

This federal funding requires a local match of \$44,855.00. The members of the Houston TranStar consortium, the City of Houston, Harris County, METRO and TxDOT, have each provided 25% of the \$34,855.00 designated by this agreement from the funds they issue to the City for the operation of the Houston TranStar program. The remaining \$10,000.00 of the matching funds is being funded under a separate agreement between Harris County and H-GAC.

REQUIRED AUTHORIZATION **CUIC ID #20 JRW 09**

F&A Director:	City Attorney's Office:	Other Authorization:  Raymond D. Chong, P.E., Deputy Director Traffic and Transportation Division <i>JRW</i>
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REQUEST FOR COUNCIL ACTION

SUBJECT: Contract with Houston-Galveston Area Council for Public Information Program for Hurricane Evacuation Education Program.

Category

Page
2 of 2

Agenda Item
#

SPECIFIC EXPLANATION: (Continued)

This media information campaign will include the following:

- A marketing consultant will be procured by H-GAC to develop the Hurricane Evacuation Outreach Effort (HEOE), a communications plan that can be utilized by local governments to disseminate information to special needs groups including the elderly, disabled, and non-English speaking persons, along with the public at large.
- The consultant will develop a marketing tool kit for local governments that will consist of flexibly-designed, customizable pieces which can be utilized by governmental agencies, community leaders, media, and other civic organization as part of the HEOE. Each printed collateral piece in the tool kit will be provided as a PDF master, which can be customized and produced at the discretion of each partner helping to promote the outreach effort. These PDFs will be provided on master CDs and made available for download through a section/page on the H-GAC web site. Broadcast mediums such as radio or TV Public Service Announcements (PSAs) will be provided on CD and DVD. The tool kit may contain executions for the following items: posters, door hangers, flyers, stuffers, postcards, ads, and other educational and outreach items. The consultant will also develop training sessions for local governments as necessary to facilitate utilization of the tool kit.
- In addition to the development of the tool kit, the consultant will develop a media plan identifying the most appropriate methods to communicate the importance of awareness of the storm season. This plan will target media with the greatest impact on the under-served audience. PSAs as well as paid advertising will be placed with the appropriate media in the designated target area based on the media plan.

This Council action will authorize the execution of the agreement with H-GAC and the payment of \$34,855 to H-GAC for partial funding of the Federal funding match required to execute this project.

CC: Ray Chong, P. E., Jack Whaley, P.E., Marty Stein, Pat Waskowiak.

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc., for the construction of water, sanitary sewer and storm sewer lines.	Page 1 of 2	Agenda Item # 30
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S-000800-00M4-4/ R-000800-00M4-4/ M-000800-00M4-4

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 6/28/07	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director	Council District affected: E
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For additional information contact: Jun Chang, P.E. ^{gc} Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
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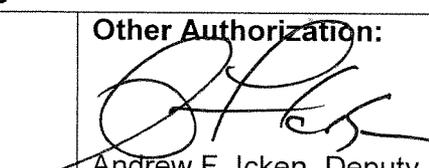
Recommendation: (Summary)
Approve a Developer Participation Contract between the City and Obra Homes, Inc., for the City to pay 70% of the cost to construct approximately 4,801 linear feet of water line, 3,981 linear feet of sanitary sewer line and 100% of the cost to construct 2,050 linear feet of storm sewer line to serve the 142-lot subdivision, Lake Way Village Section 1, and appropriate funds.

Amount & Source of Funding: \$422,583.49 Water & Sewer System Consolidated Construction Fund No. 8500
 \$426,000.00 Homeless & Housing Consolidated Fund 4501
 \$848,583.49 Total Appropriation

Specific Explanation:

Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.

Obra Homes, Inc. proposes to construct approximately 4,801 linear feet of water line, 3,981 linear feet of sanitary sewer line and 2,050 linear feet of storm sewer line to serve the 142-lot subdivision, Lake Way Village Section 1. The maximum amounts to be reimbursed are as follows:

Required Authorization: CUIC# 20JZC155 NDT		
F & A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services

Date:	Subject: Developer Participation Contract between City of Houston and Obra Homes, Inc., for the construction of water, sanitary sewer and storm sewer lines.	Originator's Initials	Page 2 of 2
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Water

70% of construction cost (including interest & 5% contingency):	\$134,647.43
design cost:	<u>\$24,185.25</u>
total:	\$158,832.68

Wastewater

70% of construction cost (including interest & 5% contingency):	\$223,589.81
design cost:	<u>\$40,161.00</u>
total:	\$263,750.81

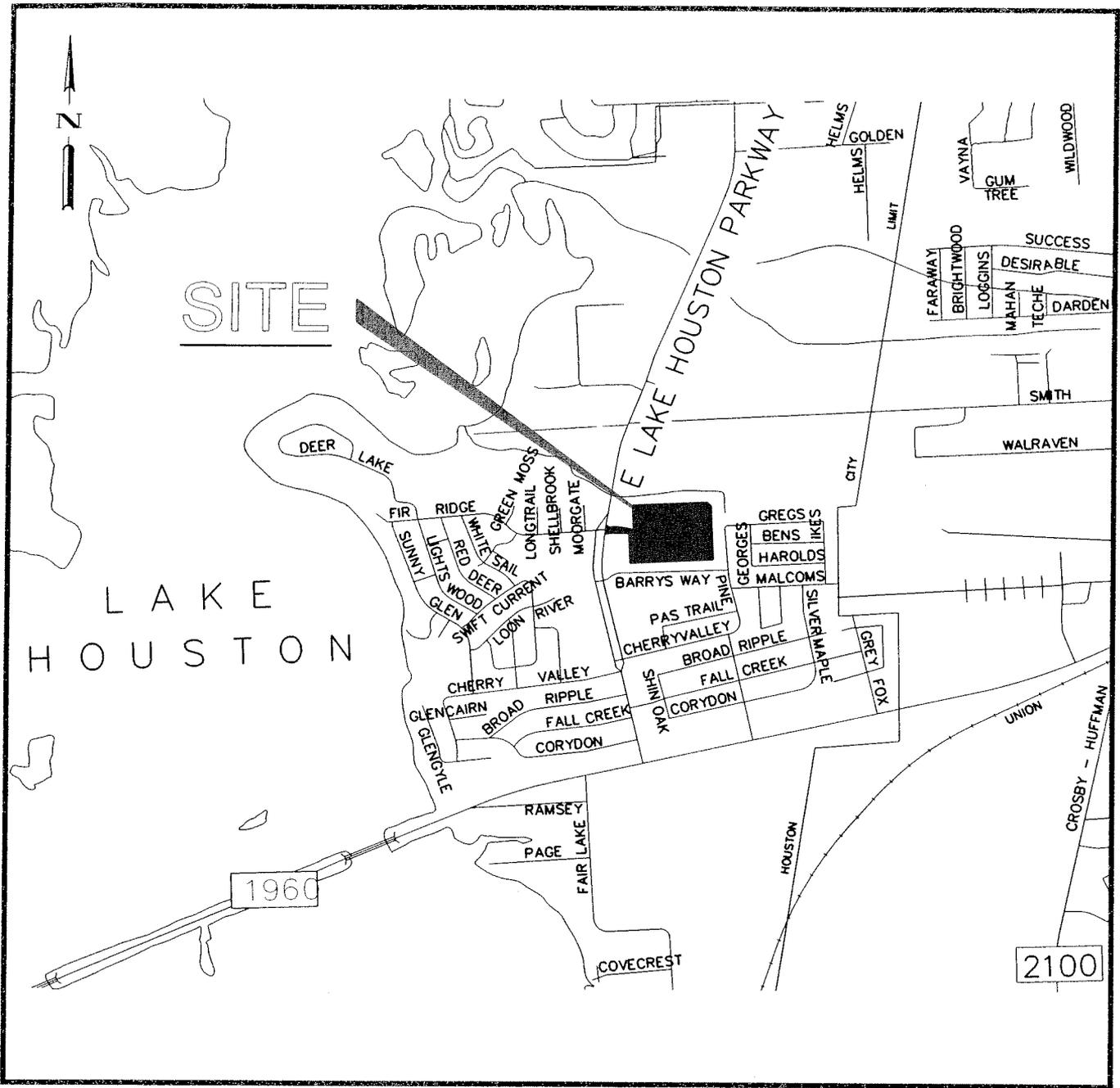
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$362,100.00
design cost:	<u>\$63,900.00</u>
total:	\$426,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



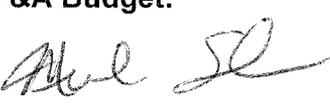
LAKE WAY VILLAGE, SECTION 1

VICINITY MAP

HARRIS COUNTY KEY MAP # 338 M

GIMS MAP # 5969 D & 6069 C

ZIP CODE 77336

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc. for the construction of water, sanitary sewer and storm sewer lines. S-000800-00M2-4/ R-000800-00M2-4/ M-000800-00M2-4		Page 1 of 2	Agenda Item # 31						
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 6/28/07	Agenda Date: JUL 18 2007							
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: B								
For additional information contact: Jun Chang, P.E. (713) 837-0433	Date and identification of prior authorizing Council action:								
Recommendation: (Summary) Approve a Developer Participation Contract between the City and Obra Homes, Inc. and appropriate funds.									
Amount & Source of Funding: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%; text-align: right;">\$275,828.34</td> <td>Water & Sewer Consolidated Construction Fund No. 8500</td> </tr> <tr> <td style="text-align: right;"><u>\$225,000.00</u></td> <td>Drainage Improvement CPaper Series F Fund No. 4030</td> </tr> <tr> <td style="text-align: right;">\$500,828.34</td> <td>Total Appropriation</td> </tr> </table>				\$275,828.34	Water & Sewer Consolidated Construction Fund No. 8500	<u>\$225,000.00</u>	Drainage Improvement CPaper Series F Fund No. 4030	\$500,828.34	Total Appropriation
\$275,828.34	Water & Sewer Consolidated Construction Fund No. 8500								
<u>\$225,000.00</u>	Drainage Improvement CPaper Series F Fund No. 4030								
\$500,828.34	Total Appropriation								
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences. Obra Homes, Inc. proposes to construct approximately 2,267 linear feet of water line, 1,771 linear feet of sanitary sewer line and 2,084 linear feet of storm sewer line to serve the 75-lot subdivision, Riverbend Village Section 1. The maximum amounts to be reimbursed are as follows:									
REQUIRED AUTHORIZATION: 20JZC146 NDT									
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services							

Water

70% of construction cost (including interest & 5% contingency):	\$87,412.09
design cost:	<u>\$16,056.90</u>
total:	\$103,468.99

Wastewater

70% of construction cost(including interest & 5% contingency):	\$145,611.66
design cost:	<u>\$26,747.69</u>
total:	\$172,359.35

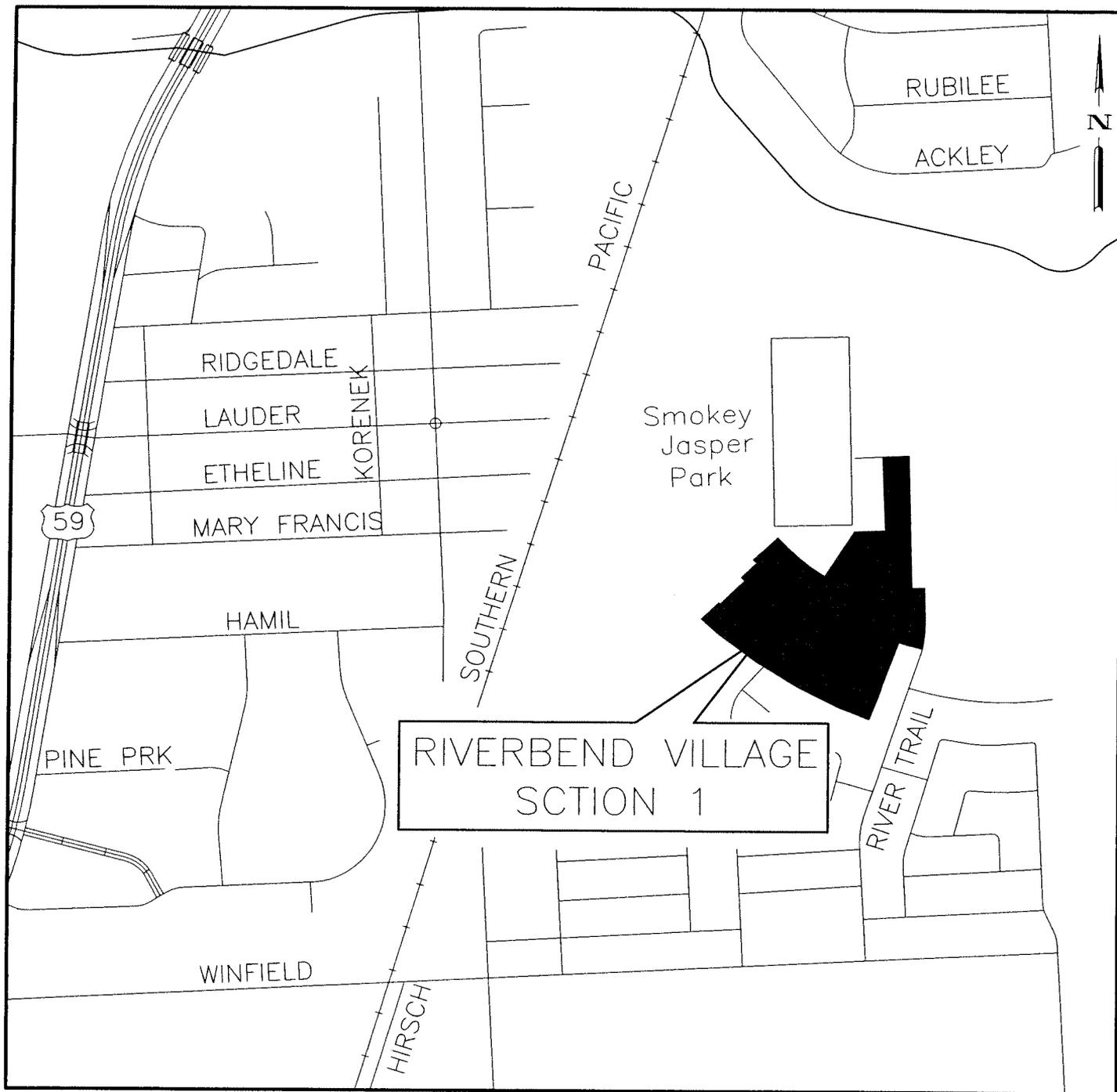
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	\$192,250.00
design cost:	<u>\$32,750.00</u>
total:	\$225,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

HARRIS COUNTY KEY MAP # 415 E
GIMS MAP 5563 B
ZIP CODE 77050

SUBJECT: Developer Participation Contract between City of Houston and Obra Homes, Inc. for the construction of water and sanitary sewer. S-000800-00M5-4/ R-000800-00M5-4	Page 1 of 2	Agenda Item # 32
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FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 6/28/07	Agenda Date: JUL 18 2007
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Director's Signature: Michael S. Marcotte Michael S. Marcotte, P.E. DEE	Council District affected: E
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For additional information contact: Jun Chang, P.E. (713) 837-0433	Date and identification of prior authorizing Council action:
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Recommendation: (Summary)

Approve a Developer Participation Contract between the City and Obra Homes, Inc. for the City to pay 70% of the cost to construct approximately 2,720 linear feet of water line and 2,137 linear feet of sanitary sewer line in South Meadow Place Section One, and appropriate funds.

Amount & Source of Funding: \$420,496.01 Water & Sewer System Consolidated Construction Fund No. 8500

Pratt 6/24/07

Specific Explanation:

Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences.

Obra Homes, Inc. proposes to construct approximately 2,720 linear feet of water line and 2,137 linear feet of sanitary sewer line to serve the 102-lot subdivision, South Meadow Place Section One. The maximum amounts to be reimbursed are as follows:

REQUIRED AUTHORIZATION: 20JZC156 NDT

F&A Budget: Michael S. Marcotte	Other Authorization:	Other Authorization: Andrew F. Icken Andrew F. Icken, Deputy Director Planning & Development Services
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Water

70% of construction cost (including interest & 5% contingency):	\$79,588.06
design cost:	<u>\$14,797.86</u>
total:	\$94,385.92

Wastewater

70% of construction cost (including interest & 5% contingency):	\$274,982.42
design cost:	<u>\$51,127.67</u>
total:	\$326,110.09

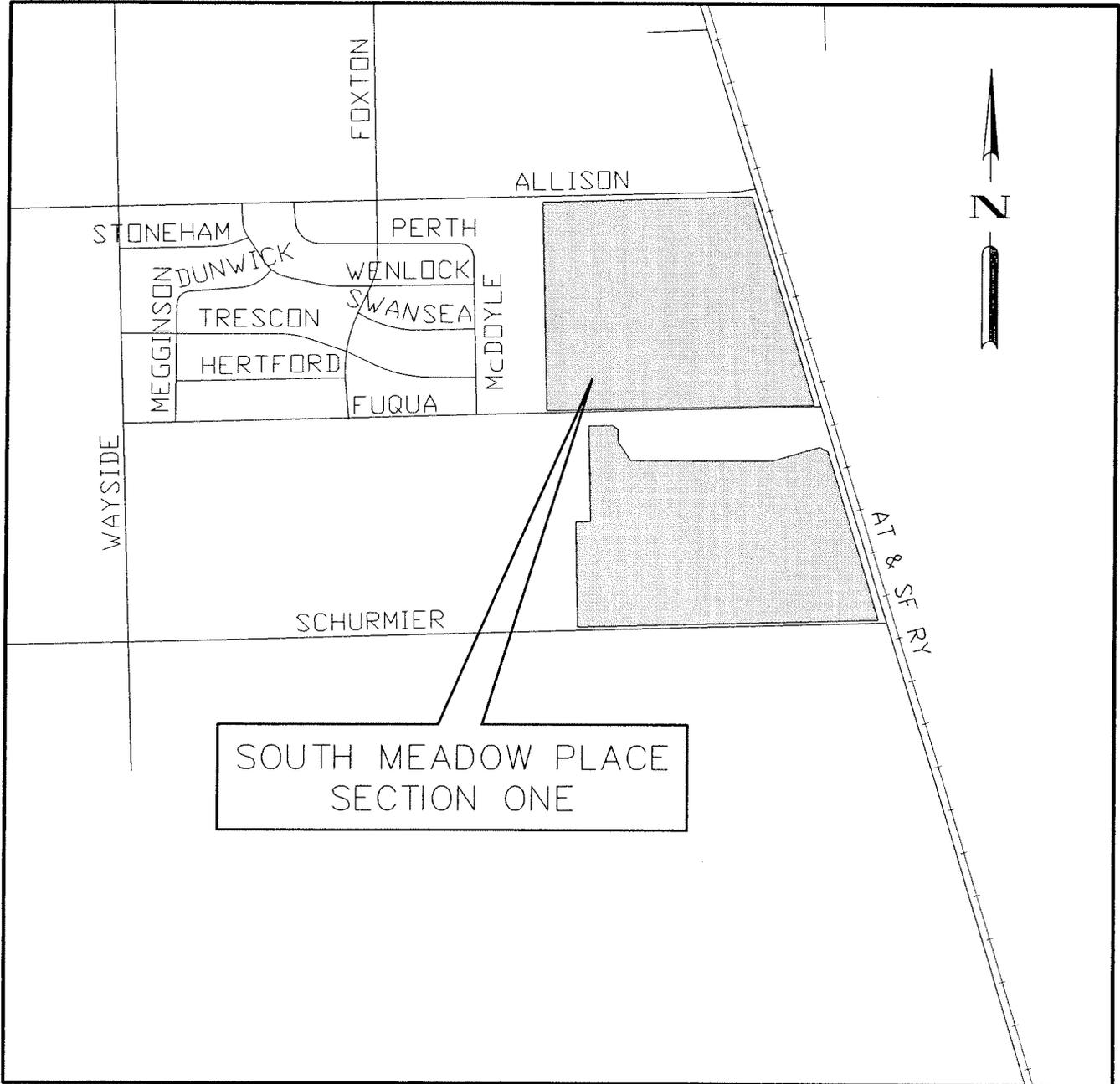
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	N/A
design cost	N/A
total:	N/A

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

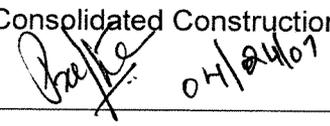
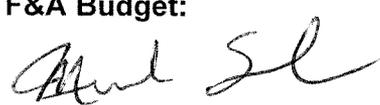
c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

KEY MAP 574-V

N.T.S.

SUBJECT: Developer Participation Contract between City of Houston and FAFB LLC. for the construction of water and sanitary sewer. S-000800-0104-4/ R-000800-0104-4		Page 1 of 2	Agenda Item # 33
FROM: (Department or other point of origin) Department of Public Works & Engineering	Origination Date: 5-30-07	Agenda Date: JUL 18 2007	
Director's Signature:  Michael S. Marcotte, P.E. DEE	Council District affected: E		
For additional information contact: Jun Chang, P.E. (713) 837-0433 <i>gc</i>	Date and identification of prior authorizing Council action:		
Recommendation: (Summary) Approve a Developer Participation Contract between the City and FAFB LLC. for the City to pay 70% of the cost to construct approximately 640 linear feet of water line and 905 linear feet of sanitary sewer line in Red Robin Square subdivision, and appropriate funds.			
Amount & Source of Funding: \$101,975.60 Water & Sewer System Consolidated Construction Fund No. 8500 			
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences. FAFB LLC. proposes to construct approximately 640 linear feet of water line and 905 linear feet of sanitary sewer line to serve the 20-lot subdivision, Red Robin Square. The maximum amounts to be reimbursed are as follows:			
REQUIRED AUTHORIZATION:		20JZC266 <i>MDT</i>	
F&A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services	

Water

70% of construction cost (including interest & 5% contingency):	\$22,258.95
design cost:	<u>\$3,045.30</u>
total:	\$25,304.25

Wastewater

70% of construction cost(including interest & 5% contingency):	\$67,414.10
design cost:	<u>\$9,257.25</u>
total:	\$76,671.35

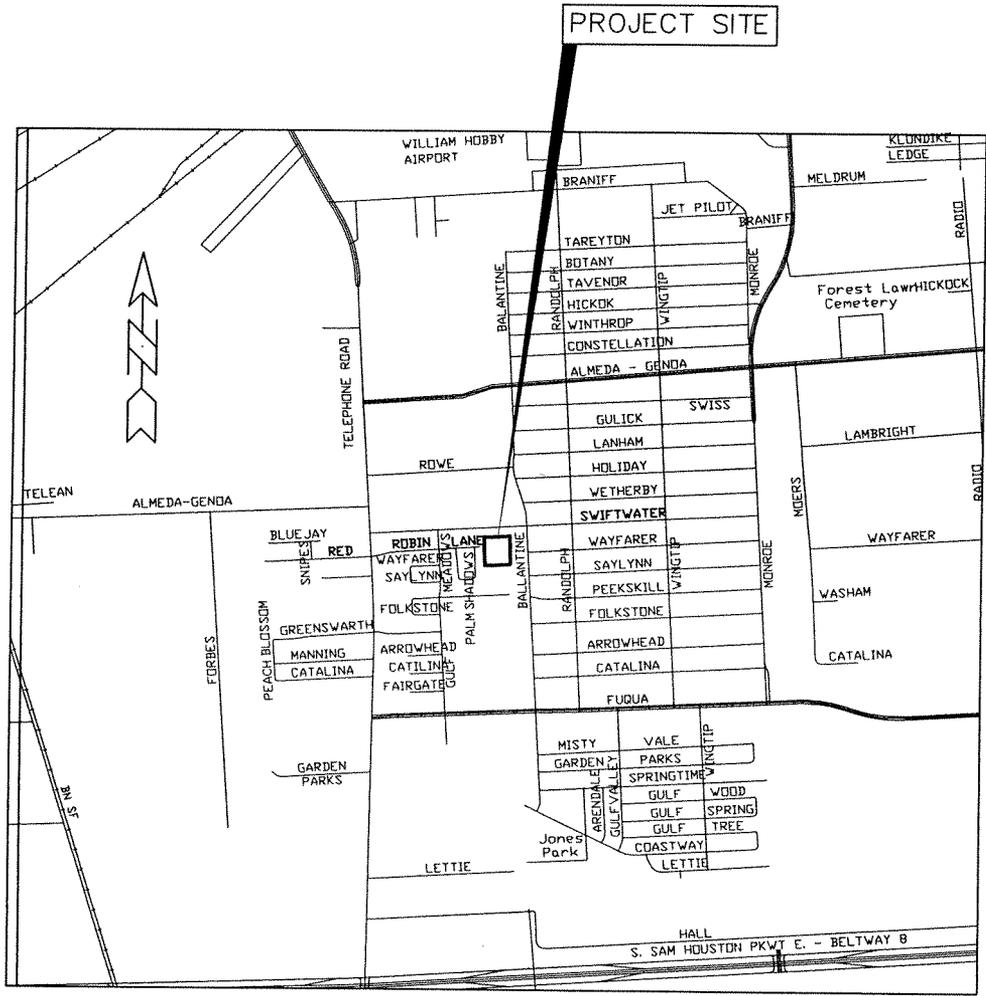
Storm Sewer (Including appropriate detention)

100% of construction cost (including interest & 5% contingency):	N/A
design cost	N/A
total:	N/A

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
Craig Foster
John Sakolosky



VICINITY MAP

HARRIS COUNTY KEY MAP # 575P

GIMS MAP # 5651a

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7420

Subject: Approve an Ordinance Awarding a Pre-Positioned Contract to the Best Respondent for Disaster Management Recovery and Consulting Services for the Solid Waste Management Department S29-T22221

Category #
4

Page 1 of 2

Agenda Item

34

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

June 07, 2007

Agenda Date

JUL 18 2007

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Dan Gutierrez Phone: (713) 837-9214
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a pre-positioned contract to the best respondent, Beck Disaster Recovery, Inc., for disaster management recovery and consulting services for the Solid Waste Management Department.

No funding required at this time.

F & A Budget

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a pre-positioned five-year contract, with two one-year options to extend, for a total seven-year term to the best respondent, Beck Disaster Recovery, Inc., for disaster management recovery and consulting services for the Solid Waste Management Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. **This contract will be activated upon approval of funding by City Council.**

The scope of work requires the contractor to provide all labor, materials, equipment and supervision necessary to manage, monitor and certify all disaster management recovery and consulting services in the event of a natural or man-made disaster. The contractor will be required to manage and monitor all City of Houston debris hauler contractors to ensure they are in compliance with the Federal Emergency Management Agency (FEMA) reimbursement guidelines. Which includes, measuring and certifying all debris hauler contractors vehicles certification for load volume of eligible debris, monitoring loading of vehicles in disaster area and unloading of vehicles at designated landfills and preparation and issuance of certified load tickets. Further, the contractor may be required to facilitate communication with the City's debris manager, FEMA, City officials, the State of Texas and other State and Federal agencies. In addition, the contractor may be required to coordinate pre-event planning, post-event reconstruction and reimbursement services.

This Request for Proposal (RFP) was advertised in accordance with the requirements of the State of Texas bid laws, and as a result, proposals were received from Beck Disaster Recovery, Inc., Post, Buckley, Schuh & Jernigan, Inc., Camp, Dresser & McKee Inc., Healthy Resources Enterprise, Inc., and the Sunland Group. The evaluation committee consisted of four Solid Waste Management Department employees. The proposals were evaluated based on the following criteria:

1. Customer Satisfaction Survey
2. Expertise, Experience and Reliability
3. Conformance to all other RFP Requirements and Conditions
4. Financial Strength

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MDT

mef

23

Date: 6/7/2007	Subject: Approve an Ordinance Awarding a Pre-Positioned Contract to the Best Respondent for Disaster Management Recovery and Consulting Services for the Solid Waste Management Department S29-T22221	Originator's Initials DM	Page 2 of 2
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Beck Disaster Recovery, Inc. received the highest overall score.

M/WBE Subcontracting

This Request for Proposal (RFP) was issued as a goal-oriented contract with an 11% M/WBE participation level. Beck Disaster Recovery, Inc. has designated the below-named company as its certified M/WBE subcontractor.

<u>Name</u>	<u>Type of Work</u>	<u>Dollar Amount</u>
TLC Engineering, Inc.	Debris Monitoring Services	40% of the Contract Spending amount at the Time of Contract Activation

Buyer: Douglas Moore

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

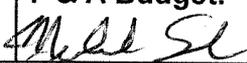
SUBJECT: Professional Construction Management and Inspection Services Contract between the City of Houston and Polytech, Inc. d/b/a PTI, Incorporated for Various Small Diameter Water Line Replacement Projects. WBS No. S-000035-00F9-4.	Page 1 of 1	Agenda Item # 35
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 6-14-07	Agenda Date JUL 18 2007
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: Citywide <i>Call</i>
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For additional information contact: J. Timothy Lincoln, P.E. <i>Phone: (713) 837-7074</i> Senior Assistant Director 	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approve Construction Management and Inspection Services Contract with Polytech, Inc. d/b/a PTI, Incorporated and appropriate funds.

Amount and Source of Funding: \$5,000.00 from Water & Sewer System Consolidated Construction Fund, Fund No. 8500. <i>Done 05/11/07</i>	F & A Budget: 
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SPECIFIC EXPLANATION:

PROJECT NOTICE/JUSTIFICATION: This Contract is part of the City's water line replacement program. This program is required to replace and upgrade water lines within the City to increase circulation and availability of water.

DESCRIPTION/SCOPE: This Contract provides for Construction Management and Inspection Services for small diameter water line projects.

LOCATION: The projects are located throughout the City.

SCOPE OF CONTRACT AND FEE: This Contract will provide Construction Management and Inspection Services, including contract administration, processing pay estimates, coordinating schedules, evaluating proposals and change orders, site representation, closeout documentation, and tasks requested by the Director.

Project funding for Construction Management Services will be appropriated with the construction contract awards. The requested appropriation of \$5,000.00 will provide for the limited pre-construction review and preparation as required.

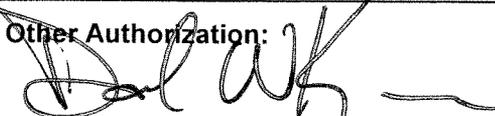
M/WBE PARTICIPATION: The consultant has submitted the following proposed M/WBE participation to satisfy the 24% goal for this project:

<u>NAME OF FIRM</u>	<u>WORK DESCRIPTION</u>	<u>PERCENTAGE</u>
1. GIZ-TECH ENTERPRISE	Inspection/Administrative Services	12%
2. United Engineers, Inc.	Inspection/Administrative Services	12%
Total		24%

MSM:JTL:JAK:mq
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g Daniel W. Krueger, P.E. Velma Laws File No. CM Contract - PTI

REQUIRED AUTHORIZATION **CUIC ID # 20JAK02**

F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utility Division	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division
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R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Ordinances granting Commercial Solid Waste Operator Franchises

Category #

Page 1 of 1

Agenda Item#

36 to 38

FROM: (Department or other point of origin):

Judy Gray Johnson, Director Finance and Administration

Origination Date

7-13-07

Agenda Date

JUL 18 2007

DIRECTOR'S SIGNATURE:

MS Judy Gray Johnson

Council Districts affected:

ALL

For additional information contact:

Wendy E. Thomas Phone: (713) 837- 9623 Tina Paez Phone: (713) 837- 9630

Date and identification of prior authorizing

Council Action: Ord. # 2002-526 - June 19, 2002; Ord. # 2002-1166-December 18, 2002.

RECOMMENDATION: (Summary)

Approve ordinances granting Commercial Solid Waste Operator Franchises

Amount of Funding: NA

F & A Budget:

SOURCE OF FUNDING: [] General Fund [] Grant Fund [] Enterprise Fund [] Other (Specify)

SPECIFIC EXPLANATION:

It is recommended that City Council approve three ordinances granting Commercial Solid Waste Operator Franchises to the following solid waste operators pursuant to Article VI, Chapter 39. The proposed Franchisees are:

- 1. Eagle Prentice
2. HazWaste Environmental
3. Specialized Maintenance Services, Inc.

The proposed ordinances grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, each Franchisee agrees to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenue, payable quarterly. To verify Franchisee compliance with the franchise, the City has the right to inspect, and the company has the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise terms expire on December 31, 2013.

It is recommended that City Council approve the three proposed ordinances granting Commercial Solid Waste Operator franchises to the Franchisees.

REQUIRED AUTHORIZATION

F&A Director:

39

JUL 18 2007

MOTION NO. 2007 0751

MOTION by Council Member Garcia that the following item be postponed for two weeks:

Item 58 - Ordinance appropriating \$6,140,959.95 out of Street & Bridge Consolidated Construction Fund, \$2,683.075.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to Total Contracting Limited for York Street Reconstruction from Polk Street to Navigation, WBS N-000698-0001-4; S-000500-0058-4 and R-000500-0058-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund

Seconded by Council Member Khan and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Noriega voting aye
Nays none
Council Member Berry absent

Council Member Green out of the City on personal business

PASSED AND ADOPTED this 3rd day of July, 2007.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 9, 2007.



City Secretary

SUBJECT: Contract Award for York Street Reconstruction from Polk Street to Navigation. W.B.S. No. N-000698-0001-4.

Page 1 of 2 Agenda Item #

39 ~~58~~ ~~58~~

FROM: (Department or other point of origin):
Department of Public Works and Engineering

Origination Date:
6-21-07

Agenda Date:
~~JUN 27 2007~~
~~JUL 08 2007~~
JUL 18 2007

DIRECTOR'S SIGNATURE:
Michael S. Marcotte
Michael S. Marcotte, P.E. DEE

Council District affected:
H, I
TC

For additional information contact:
Reid K. Mersny
Reid K. Mersny, P.E. Phone: (713) 837-0452
Senior Assistant Director

Date and identification of prior authorizing Council action:

RECOMMENDATION: (Summary)

Accept low bid, award construction Contract and appropriate funds.

Amount and Source of Funding: \$ 6,140,959.95 Street & Bridge Consolidated Construction Fund No. 4506.
\$2,683,075.00 Water and Sewer System Consolidated Construction Fund No. 8500;
(\$1,885,262.65 from WBS No. R-000500-0058-4 and \$797,812.35 from WBS No. S-000500-0058-4)
\$8,824,034.95 Total Cost

Puffe 06/13/07

PROJECT NOTICE/JUSTIFICATION: This project is part of the Street & Bridge Capital Improvement Program (CIP) and is required to meet City of Houston standards and improve mobility.

DESCRIPTION/SCOPE: This project consists of reconstruction of York Street from Polk Street to Navigation Boulevard with concrete pavement and curb, sidewalks and street lighting and underground utilities. The Contract duration for this project is 480 calendar days. This project was designed by WCW International, Inc.

LOCATION: The project area is generally bound by Navigation on the north, Polk on the south, Lockwood on the east and Sampson on the west. The project is located in Key Map Grids 494-N and 494-S.

BIDS: Bids were received on May 17, 2007. The six bids are as follows:

Bidder	Bid Amount
1. Total Contracting Limited	\$7,600,913.95
2. Conrad Construction Co., Ltd.	\$7,702,799.55
3. Pace Services, L.P.	\$7,851,894.80
4. Reytec Construction Resources, Inc.	\$7,890,012.75
5. JFT Construction, Inc.	\$7,997,412.58
6. Texas Sterling Construction, L.P.	\$8,076,612.49

REQUIRED AUTHORIZATION

CUIC# 20TC718

NOT

F&A Budget:
[Signature]

Other Authorization:

Other Authorization:
[Signature]
Daniel W. Krueger, P.E., Deputy Director
Engineering and Construction Division

AWARD: It is recommended that this construction Contract be awarded to Total Contracting Limited with a low bid of \$7,600,913.95 and that Addendum Number 1 be made a part of this Contract.

PROJECT COST: The total cost of this project is \$8,824,034.95 to be appropriated as follows:

- Bid Amount \$7,600,913.95
- Contingencies \$380,046.00
- Engineering and Testing Services \$235,000.00
- Project Management \$608,075.00

Engineering and Testing Services will be provided by Alliance Laboratories, Inc. under contract No. 55039.

M/WBE PARTICIPATION: The low bidder has submitted the following proposed program to satisfy the 19 % M/WBE goal and 3 % SBE goal for this project.

<u>MWBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Paradigm Outdoor Supply, LLC	Water & Sanitary	\$58,954.00	0.78%
2. Bedo Construction Products, Inc.	Storm Sewer	\$31,972.00	0.42%
3. GMJ Paving Company General Partnership	Asphalt	\$285,000.00	3.75%
4. Two-Way Barricade Equipment Sales & Rentals, Inc.	Traffic Control	\$400,000.00	5.26%
5. Felipe Velez Trucking	Crushed Concrete	\$125,000.00	1.64%
6. J. A. Gamez, Trucking Services	Trucking Services	\$150,000.00	1.97%
7. Chief Solutions, Inc.	TV Cleaning	\$22,000.00	0.29%
	TOTAL	\$1,072,926.00	14.11%

<u>WBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Paradigm Outdoor Supply, LLC	Water & Sanitary	\$380,046.00	5.00%
	TOTAL	\$380,046.00	5.00%

<u>SBE - Name of Firms</u>	<u>Work Description</u>	<u>Amount</u>	<u>% of Contract</u>
1. Bedo Construction Products, Inc.	Storm Sewer	\$228,028.00	3.00%
	TOTAL	\$228,028.00	3.00%

All known rights-of-way, easements and/or right-of-entry are being acquired.

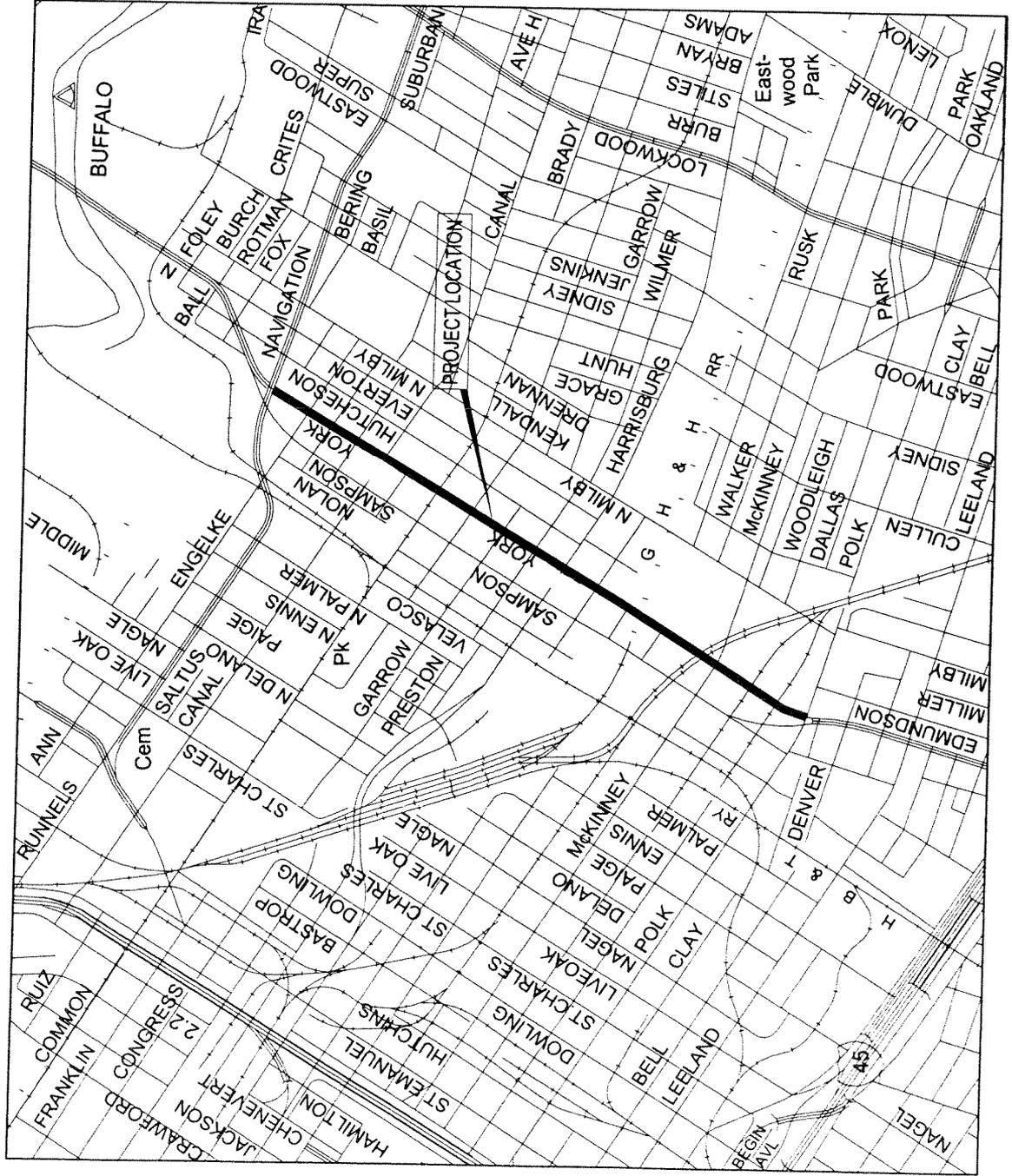
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- c:** Marty Stein
 Susan Bandy
 Velma Laws
 Michael Ho, P.E.

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
 ENGINEERING CONSTRUCTION AND REAL ESTATE
 GFS NO. N-0698-01-1



KEY MAP: 494 S,N & P



VICINITY MAP
 YORK STREET IMPROVEMENTS
 FROM NAVIGATION TO POLK
 GFS No. N-0698-01-1
 SCALE : N.T.S. DATE :01/08/04
WCW INTERNATIONAL, INC.
 1001 MCKINNEY ST. SUITE 1850, HOUSTON, TX 77002
 Tel: (713) 777-3106 Fax: (713) 777-4192

40

JUL 18 2007

MOTION NO. 2007

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, for approval of an amendment to the FY2007 Operating Budget for the Houston Area Water Corporation (HAWC), be adopted, and an amendment to the FY2007 Budget in the amount of \$550,000.00 for a total revised budget in the amount of \$23,351,450.00, is hereby approved by the City Council.

Seconded by Council Member Alvarado

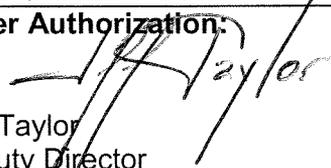
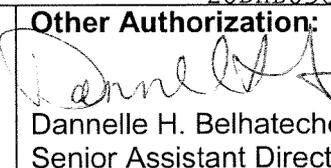
Council Member Edwards absent

Council Member Wiseman absent on City business

Council Member Berry absent

On 07/11/2007 the above motion was tagged by Council Member Garcia.

mla

SUBJECT: Approval of an Amendment to the FY 2007 Annual Operating Budget for the Houston Area Water Corporation (HAWC).		Category #	Page 1 of 2	Agenda Item # 40
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-5-07	Agenda Date JUL 11 2007 JUL 18 2007	
DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director		Council District affected:		
For additional information contact: Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: 713-837-0847		Date and identification of prior authorizing Council action: Res. #2000-42 & Ord. #2000-765 (8/23/00); Ord. #01-645, 01646, 01-647, 01-648 & 01-649 (7/3/01); Ord. #02-261 (4/3/02); Ord. # 03-902 (10/01/03); Mot. #04-543 (5/19/04) Mot. #05-824 (8/24/05); Mot. #06-510 (6/21/06)		
RECOMMENDATION: (Summary)				
Approve by Council Motion the Amendment to the FY 2007 HAWC Annual Operating Budget.				
Amount of Funding: \$550,000			F&A Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input checked="" type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify) Fund 8300 - Water & Sewer System Operating Fund <i>JTB 6/14/07</i> <i>02-16-14-07</i>				
SPECIFIC EXPLANATION:				
<p>The Houston Area Water Corporation ("HAWC") is a public non-profit local government corporation created by the City of Houston to coordinate and manage the construction and operation of the Northeast Water Purification Plant ("NEWPP"). The facility's first phase commenced operations at 4 million gallons per day (MGD) on August 1, 2005. The second phase providing an additional capacity of 40 MGD, for a total production capacity of 80 MGD, was completed in March 2006. The NEWPP is now fully operational and is part of the regional water distribution system serving the City and other customers.</p> <p>The Amended and Restated Treated Water Supply Contract between the City and the HAWC, entered into on April 3, 2002, states that the City shall pay all Operations and Maintenance Expenses incurred by the Corporation, including debt service on the contract revenue bonds issued in 2002 (the "HAWC Bonds") to fund construction and other costs associated with the development of the NEWPP. The HAWC submits an Annual Operating Budget for City Council approval that includes all expenses not otherwise funded from the proceeds of HAWC Bonds, notes or other obligations, including debt service on the HAWC Bonds.</p>				
REQUIRED AUTHORIZATION 20DHB056				
F&A Director	Other Authorization:  Jeff Taylor Deputy Director		Other Authorization:  Dannelle H. Belhateche, P.E. Senior Assistant Director	

Date	Approval of an Amendment to the FY 2007 Annual Operating Budget for the Houston Area Water Corporation (HAWC).	Originator's Initials	Page 2 of 2
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The FY2007 Annual HAWC Operating Budget approved by the HAWC Board Members on April 19, 2006 was \$22,801,450.

Major budget categories are:

HAWC Direct O&M Costs	11,533,572
HAWC Debt Service	9,076,719
TOTAL DIRECT HAWC COSTS	<u>20,610,291</u>
 Electricity & Personnel Costs incurred by City of Houston	 2,191,159
TOTAL APPROVED HAWC BUDGET	<u>22,801,450</u>
 Recommended Increase for HAWC Direct O&M Costs	 550,000
TOTAL REVISED HAWC BUDGET	<u>23,351,450</u>

This increase in the O&M budget is the result of higher legal fees incurred by the HAWC and higher chemical costs for water treatment at the plant. These additional costs will be paid out of the City of Houston Water & Sewer System Operating Fund 8300; however, no net increase in funding is being requested for Fund 8300.

The HAWC Board approved this budget increase on June 6, 2007. It is recommended that City Council approve an amendment to the FY2007 Annual Operating Budget for the Houston Area Water Corporation in the amount of \$550,000.

DHB:mn

xc: Marty Stein
 Legal
 Waynette Chan
 Gary Norman
 Susan Bandy
 Jeff Taylor
 Dannelle H. Belhateche, P.E.

**ANNUAL OPERATIONS AND MAINTENANCE BUDGET
NORTHEAST WATER PURIFICATION PLANT
FY2007
20 MGD to end of year with Solar Bees**

CATEGORY	FY07 BUDGET Approved	FY07 Proposed Revised Budget	FY 07 Projections	Variance Budget to Projection
Management and Oversight:				
Legal Fees - Actuals thru Oct. 05 only	50,000	350,000	350,000	(300,000)
Supplies	20,000	7,000	7,000	13,000
Insurance - Paid by HAWC - Officers Liability	50,000	35,000	35,000	15,000
Audit Services	25,000	19,000	19,000	6,000
Bank Charges	3,600	3,600	3,600	0
Subtotal:	148,600	414,600	414,600	(266,000)
Engineering and Professional Services:				
PBS&J	125,000	50,000	50,000	75,000
Weston	75,000	0	0	75,000
Public Education Program	200,000	200,000	200,000	0
Contingency and Misc. Expenses	200,000	2,000	2,000	198,000
Subtotal:	600,000	252,000	252,000	348,000
Plant Operations and Maintenance:				
MWH Phase 1 O&M Service Fee	1,624,864	2,530,000	2,527,552	(902,688)
Operations Period Insurance Pass thru	135,000	575,000	574,300	(439,300)
MWH Phase 2 Service Fee Adjustment	857,959	0	0	857,959
Plant Maintenance	74,856	151,000	150,582	(75,726)
Transmission Line Maintenance	28,791	29,000	28,958	(167)
AORFA	178,502	230,000	229,700	(51,198)
Subtotal:	2,899,972	3,515,000	3,511,092	(611,120)
Chemicals "Pass Thru from MWH"	2,891,000	3,610,000	3,605,329	(714,329)
Subtotal:	2,891,000	3,610,000	3,605,329	(714,329)
Miscellaneous other:				
Rental of Solar Bee Lake Circulators	264,000	264,000	264,000	0
Raw Water Cost	4,730,000	4,163,031	4,142,627	587,373
Subtotal:	4,994,000	4,427,031	4,406,627	587,373
Subtotal HAWC Budget Line Item 3827	11,533,572	12,218,631	12,189,648	(656,076)
Miscellaneous Office Supplies budgeted in PUD	1,000	0	0	1,000
Personnel/Other Costs budgeted in PUD	129,159	0	0	129,159
Electricity budgeted in PUD	2,061,000	2,056,100	2,056,100	4,900
Subtotal:	2,191,159	2,056,100	2,056,100	135,059
O&M SUBTOTAL	13,724,731	14,274,731	14,245,748	(521,017)
DEBT SERVICES BUDGETED IN ORG 1911				
Bond Principal Retirement	2,518,334	2,518,334	2,518,334	0
Bond Interest Expense	6,558,385	6,558,385	6,558,385	0
DEBT SERVICE SUBTOTAL	9,076,719	9,076,719	9,076,719	0
TOTAL EXPENDITURES WITH DEBT SERVICE	22,801,450	23,351,450	23,322,467	(521,017)



CITY OF HOUSTON
Department of Public Works and Engineering

~~#1-1-07~~
~~7-10-07~~
Interoffice

Correspondence

To: Marty Stein
Agenda Director

From: Deputy Director
Public Utilities Division

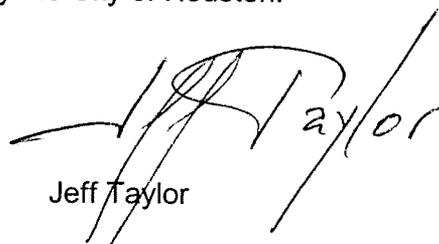
Date: July 10, 2007

CC:

Subject: Agenda Item No. 1 – HAWC FY-08
Budget

Here are responses to several questions concerning the proposed FY08 Houston Area Water Corporation Budget.

1. The HAWC has retained additional council, Gibbs and Brun, LLP to represent the HAWC through possible negotiations associated with termination of the current operations contract, performed by Montgomery Watson Harza, Inc. The negotiation process was begun during FY07 and will hopefully be concluded during FY08.
2. The HAWC does not have any staff. The President of the HAWC is the Public Works Director. The Vice President of the HAWC is Jeff Taylor, a Public Works and Engineering Department Deputy Director, in charge of the Public Utilities Division (PUD.) Additional PUD staff perform tasks for the HAWC.
3. Bond work recently associated with refinancing of the HAWC bonds was performed by Fulbright & Jaworski. This work was contracted by the City of Houston.


Jeff Taylor

JT:pp

c: Gary Norman

*ms
Norman
7/10/07*

41

JUL 18 2007

MOTION NO. 2007

MOTION by Council Member Khan that the recommendation of the Director of the Department of Public Works and Engineering, for approval of the FY2008 Annual Operating Budget for the Houston Area Water Corporation (HAWC), be adopted, and the FY2008 Budget in the amount of \$23,351,450.00, is hereby approved by the City Council.

Seconded by Council Member Alvarado

Council Member Edwards absent

Council Member Wiseman absent on City business

Council Member Berry absent

On 7/11/07 the above motion was tagged by Council Member Garcia.

cr

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of the FY2008 Annual Operating Budget for the Houston Area Water Corporation (HAWC).	Category #	Page 1 of 2	Agenda Item # 412

FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7-5-07	Agenda Date JUL 11 2007 JUL 18 2007
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DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE, Director	Council District affected: 3
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For additional information contact: Dannelle H. Belhateche, P.E. Senior Assistant Director Phone: 713-837-0847	Date and identification of prior authorizing Council action: Res. #2000-42 & Ord. #2000-765 (8/23/00); Ord. #01-645, 01646, 01-647, 01-648 & 01-649 (7/3/01); Ord. #02-261 (4/3/02); Ord. # 03-902 (10/01/03); Mot. #04-543 (5/19/04) Mot. #05-824 (8/24/05); Mot. #06-510 (6/21/06)
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RECOMMENDATION: (Summary)

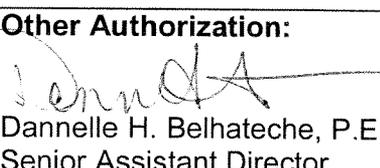
Approve by Council Motion the FY2008 HAWC Annual Operating Budget.

Amount of Funding: \$23,351,450	F & A Budget:
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SOURCE OF FUNDING: General Fund Grant Fund Enterprise Fund
 Other (Specify) Fund 8300 - Water & Sewer System Operating Fund *SFO 6/14/07*

SPECIFIC EXPLANATION:
The Amended and Restated Treated Water Supply Contract between the City and the Houston Area Water Corporation (HAWC), entered into on April 3, 2002, states that the City shall pay all Operations and Maintenance Expenses incurred by the Corporation, including debt service on the contract revenue bonds issued in 2002 (the "HAWC Bonds") to fund construction and other costs associated with the development of the NEWPP. The HAWC submits an Annual Operating Budget for City Council approval that includes all expenses not otherwise funded from the proceeds of HAWC Bonds, notes or other obligations, including debt service on the HAWC Bonds.

Payments made to the HAWC are based on actual monthly Operations and Maintenance costs (inclusive of debt service). This budget was prepared assuming the City of Houston would operate the NEWPP for the HAWC in FY08 instead of the current contractor. Because the timing of the transfer of duties to the City is uncertain, the HAWC Board of directors asked that a \$2,550,126 contingency be added to the HAWC budget.

REQUIRED AUTHORIZATION		20DHB057
F & A Director	Other Authorization:  Jeff Taylor Deputy Director	Other Authorization:  Dannelle H. Belhateche, P.E. Senior Assistant Director

It is recommended that City Council approve the HAWC FY 2008 Annual Operating Budget, approved by the HAWC Board on June 7, 2007, in the amount of \$23,351,450. This amount is equal to the FY2007 amended HAWC budget.

Major budget categories are:

HAWC Direct O&M Costs	9,270,806
HAWC Debt Service	9,077,119
Contingency	2,550,126
TOTAL DIRECT HAWC COSTS	<u>20,898,051</u>
 Electricity, Personnel & Equipment Costs incurred by City of Houston	 2,453,399
TOTAL PROPOSED HAWC BUDGET	<u>23,351,450</u>

DHB:mn

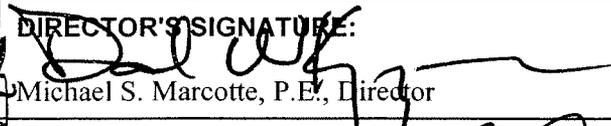
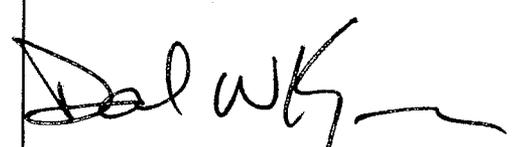
xc: Marty Stein
 Legal
 Waynette Chan
 Gary Norman
 Susan Bandy
 Jeff Taylor
 Dannelle H. Belhateche, P.E.

ANNUAL OPERATIONS AND MAINTENANCE BUDGET
 NORTHEAST WATER PURIFICATION PLANT
 FY2007 and FY2008
 34 MGD to end of year with Solar Bees

CATEGORY	FY07 BUDGET Approved	FY08 BUDGET Preliminary	FY 08 Budget vs. FY 07 Budget	DESCRIPTION Explanation of FY08 lineitem and variance
Management and Oversight:				
City of Houston Labor & Benefits	0	0	0	
Security	0	274,000	(274,000)	Contract Security and HPD 40018/520102 & 522740
Legal Fees -	50,000	200,000	(150,000)	Locke, Liddell & Sapp services 40018/521445
				office supplies, equip. rental, postage, computer supplies, cleaning supplies, bottling supplies - 40018/521445
Supplies	20,000	57,500	(37,500)	
Insurance - Paid by HAWC - Officers Liability	50,000	50,000	0	Board liability, general liability, building insurance
Audit Services	25,000	25,000	0	Annual audit
Bank Charges	3,600	3,600	0	Monthly Fees
Subtotal:	148,600	610,100	(461,500)	
				Variance justification: All City labor included in PUD Line Item 1000
Engineering and Professional Services:				
PBS&J	125,000	75,000	50,000	Operational audits, M&O Engineering Services, Operations support
Weston	75,000	0	75,000	Construction services support for MUD tie-ins
Public Education Program	200,000	200,000	0	Water Works Museum Construction
Contingency and Misc. Expenses	200,000	2,550,126	(2,350,126)	
Subtotal:	600,000	2,825,126	(2,225,126)	
Plant Operations and Maintenance:				
MWH Phase 1 O&M Service Fee	1,624,864	0	1,624,864	
Operations Period Insurance Pass thru	135,000	0	135,000	
MWH Phase 2 Service Fee Adjustment	857,959	0	857,959	
Plant Maint - 40016/520124	0	310,000	(310,000)	UV Maint., Misc. other repairs, other equipment services - 40016/520124
Plant Maint - 40018/521445	74,856	62,000	12,856	tools/equipment, Other Equip. Services 40018/521445
Building Maint. - 40018/521445		51,000	(51,000)	trash p/u, janitorial, elevators, doors, HVAC, pest control.... 40018/521445
Land & Grounds Maint - 40016/521415		100,000	(100,000)	Land & Grounds Maint 40016/521415
Vehicles - 40018/521445		78,000	(78,000)	Vehicle maintenance, fuel 40018/521445
Misc. - 40018/521445		24,000	(24,000)	memberships, training, metro, printing, freight, drug testing, clothing - 40018/521445
Transmission Line Maintenance	28,791	0	28,791	
AORFA	178,502	0	178,502	
Sludge Disposal		220,000	(220,000)	McCarty Rd. Landfill, Merrell Brothers 40018/521445
Subtotal:	2,899,972	845,000	2,054,972	
Chemicals "Pass Thru from MWH"	2,891,000	1,773,000	1,118,000	
Electricity See line 48	0	0	0	Will be included in PUD Electrical Budget
Telephone		100,000	(100,000)	Telephone Service - 40018/521445
Subtotal:	2,891,000	1,873,000	1,018,000	
Miscellaneous other:				
Solar Bee Lake Circulators	264,000	520,000	(256,000)	Purchase units in FY 08 - 40018/521445
Raw Water Cost	4,730,000	5,147,706	(417,706)	365 days @ \$0.4238/1000 gal @ 33MGD.
Less: Interest Income / Misc. Revenue				
Subtotal:	4,994,000	5,667,706	(673,706)	
Subtotal HAWC Budget Line Item 521445	11,533,572	11,820,932	(287,360)	
Personnel Cost budgeted in PUD	130,159	646,399	(516,240)	Drinking Water Operations - 40018
Non-Capital Equip. budgetd in PUD	0	7,000	(7,000)	Furniture & Computers - 40018/551010 & 551015
Electricity budgeted in PUD	2,061,000	1,800,000	261,000	Electricity - 40018/521505
Subtotal:	2,191,159	2,453,399	(262,240)	
TOTAL	13,724,731	14,274,331	(549,600)	
DEBT SERVICES BUDGETED IN Cost Center 50002				
Bond Principal Retirement	2,518,334	2,585,000	(66,666)	
Bond Interest Expense	6,558,385	6,492,119	66,266	
Subtotal	9,076,719	9,077,119	(400)	
TOTAL EXPENDITURES WITH DEBT SERVICE	22,801,450	23,351,450	(550,000)	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Construction of Safe Sidewalk Program 01 Project. WBS No. N-00646H-001-4.		Category # 7	Page 1 of 2	Agenda Item # #
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-5-07	Agenda Date JUL 18 2007 JUL 11 2007	
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., Director		Council Districts affected: H		42
For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074		Date and Identification of prior authorizing Council Action: Ord. #2005-929 dated 07/27/2005		
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,234,567.92 or 18.45% under the original Contract Amount, accept the Work, and authorize final payment.				
Amount and Source of Funding: No additional funding required. Original appropriation of \$1,786,100.00 for construction and contingencies from the Street and Bridge Consolidated Construction Fund No. 4506.				
SPECIFIC EXPLANATION:				
PROJECT NOTICE/JUSTIFICATION: This project was part of the Safe Sidewalk Program and was required to address the health, safety, and welfare of pedestrians.				
DESCRIPTION/SCOPE: The project consists of construction and replacement of sidewalks and curb ramps of various widths and lengths. ESOR Consultants, Inc. designed the project with 240 calendar days allowed for construction. The project was awarded to SpawGlass Civil Construction, Inc. with an original Contract Amount of \$1,513,820.00.				
LOCATION: The project area is various locations in North Houston. The project is located in various Key Map grids.				
CONTRACT COMPLETION AND COST: The Contractor, SpawGlass Civil Construction, Inc., has completed the Work under subject Contract. The project was completed within the Contract Time with 5 additional days allowed by Change Order No. 1. The final cost of the project, including overrun and underrun of estimated bid quantities, and previously approved Change Order Nos. 1 and 2 will be \$1,234,567.92, a decrease of \$279,252.08 or 18.45% under the original Contract Amount.				
The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily due to underrun in Bid item No 12 – Relocate existing water meter and box, Bid item No. 14 – 24” Reinforced concrete pipe, Bid item No. 15 – Junction box with lid, Bid item No. 16 – “D-1” inlet with grate top, Bid item No. 18 – 6” Reinforced concrete driveway, Bid item No. 26 – Relocate existing fences & gates, all types, Bid item No. 28 – Tree planting, and Bid item No. 29 – Solid sodding including watering and fertilization, which were not necessary to complete the work.				
REQUIRED AUTHORIZATION		CUIC ID # 20BK008		
F&A Budget:	Other Authorization:	Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division		

Date:

SUBJECT: Accept Work for Construction of Safe Sidewalk Program 01
Project. WBS No. N-00646H-001-4.

Originator's
Initials

Page
2 of 2

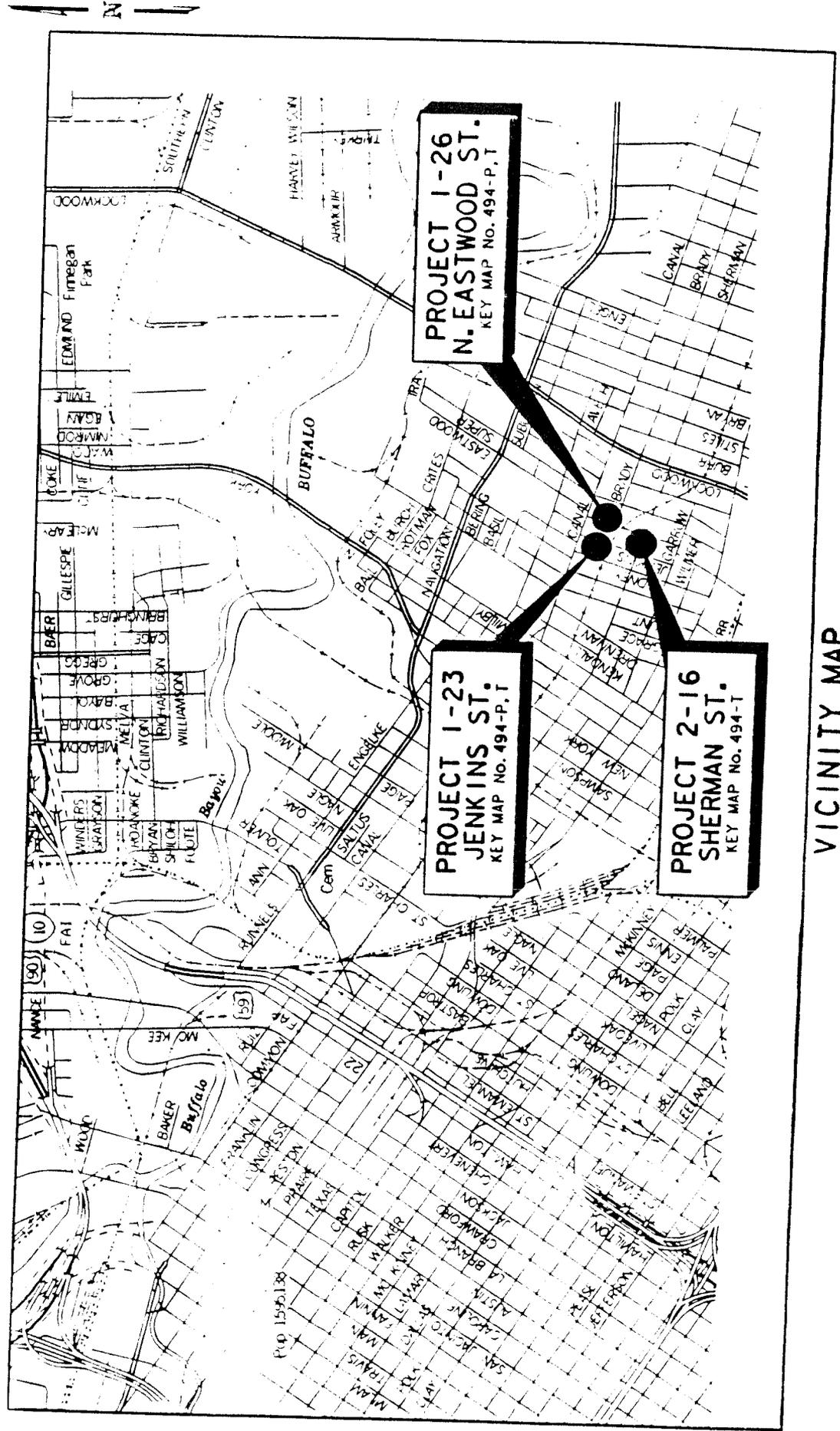
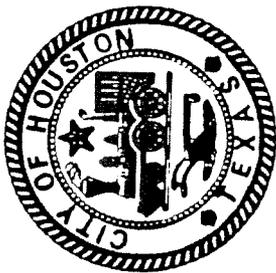
M/WBE PARTICIPATION: The advertised bid specifications for this project did not include an M/WBE goal because the estimated cost was below the \$1 million threshold. Because the lowest bid exceeded that amount, PWE negotiated with the contractor to add contract language stipulating they will make a good faith efforts to include certified M/WBE participation on this project. According to the Affirmative Action and Contract Compliance Division, the actual participation was 3.83%. Contractor's M/WBE performance evaluation was rated satisfactory.

DL *AR* *BK*
MSM:DWK:JTL:AR:BK:ce

cc: Marty Stein
Daniel W. Krueger, P.E.
Velma Laws
Craig Foster
Susan Bandy
Michael Ho, P.E.
File No.: SB9185-01

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
 ENGINEERING, CONSTRUCTION AND REAL ESTATE DIVISION

NEIGHBORHOOD SAFE SIDEWALK PROGRAM
 COUNCIL DISTRICT H - FY2005 - CONTRACT 1
 GFS NO. N-0646H-01-3 FILE NO. SB9185-01

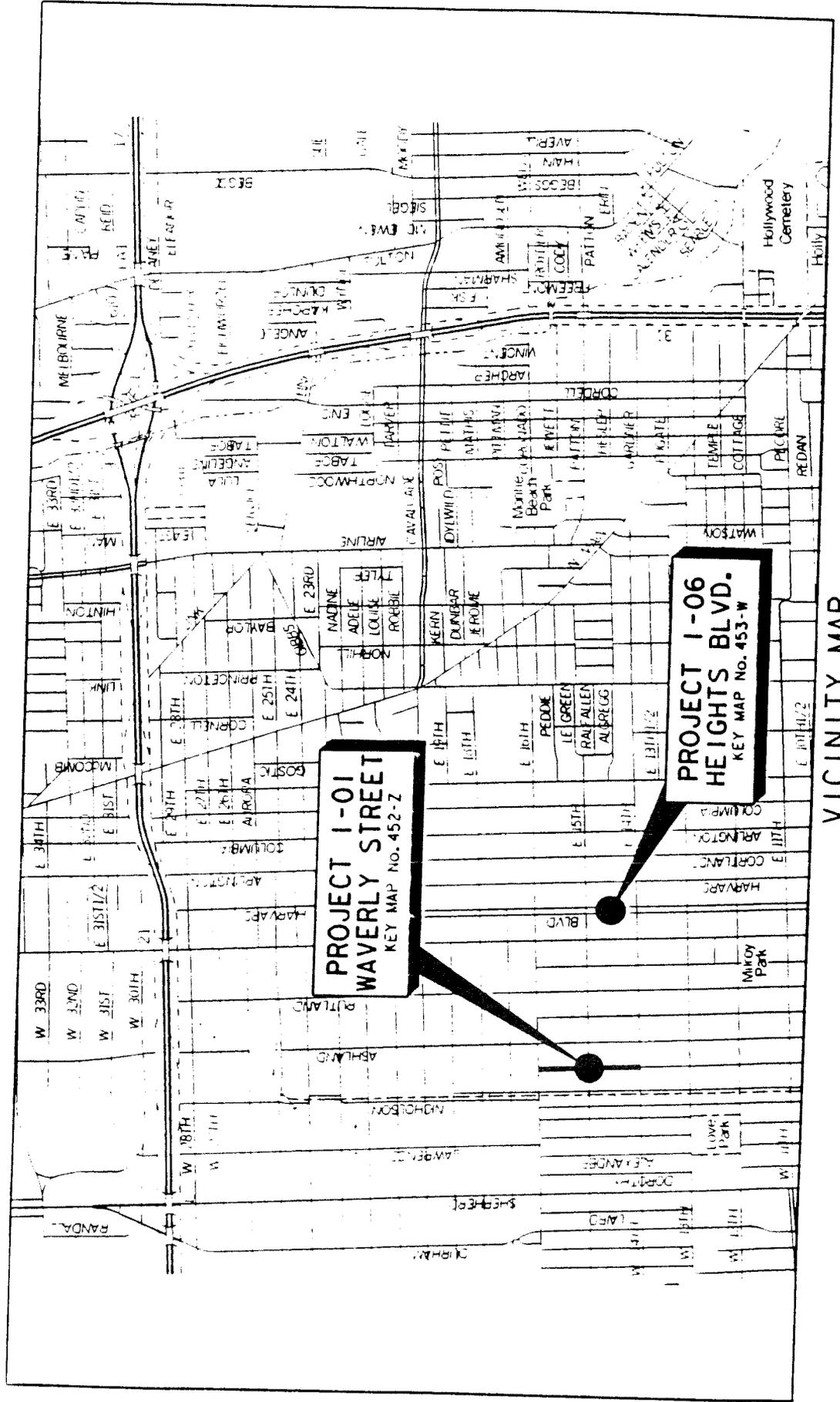
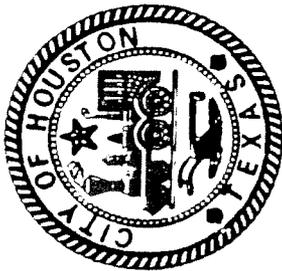


VICINITY MAP

NOT TO SCALE

DEPARTMENT OF PUBLIC WORKS AND ENGINEERING
 ENGINEERING, CONSTRUCTION AND REAL ESTATE DIVISION

NEIGHBORHOOD SAFE SIDEWALK PROGRAM
 COUNCIL DISTRICT H - FY2005 - CONTRACT 1
 GFS NO. N-0646H-01-3 FILE NO. SB9185-01



VICINITY MAP

NOT TO SCALE

R

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7464

Subject: Amend Council Motion No. 2007-0218, Passed 02/28/2007 to Purchase Additional Patrol Vehicles for the Police Department S27-N22220-A1

Category # 1 & 4

Page 1 of 2

Agenda Item

43
43A 10:10A

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Calvin M. Coleman

Origination Date

June 27, 2007

Agenda Date

JUL 18 2007
JUL 11 2007

DIRECTOR'S SIGNATURE

Council District(s) affected
All

For additional information contact:

Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

CM No. 2007-0218, 02/28/2007

RECOMMENDATION: (Summary)

Approve an ordinance authorizing the appropriation of \$10,388,670.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800) and amend Council Motion No. 2007-0218, passed February 28, 2007 to purchase additional patrol vehicles for a total increase of \$7,807,632.00 for the Police Department.

Award Amount: \$7,807,632.00

F & A Budget

Kul

\$7,448,070.00 - Equipment Acquisition Consolidated Fund (1800)
\$ 359,562.00 - Police Special Services Fund (2201)
\$7,807,632.00 - Total

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance authorizing the appropriation of \$10,388,670.00 out of the Equipment Acquisition Consolidated Fund (Fund 1800). It is further recommended that City Council amend Council Motion No. 2007-0218, passed February 28, 2007, to purchase 304 additional rear-wheel drive full-size, 4-door sedan, patrol vehicles (Item No. 2) for a total increase of \$7,807,632.00 for the Police Department, and that authorization be given to issue purchase orders to the awarded supplier, Philpott Motors, Ltd., d/b/a Philpott Ford. These vehicles will be used citywide by the Department for patrol activities and to respond to emergency incidents.

The requested appropriation out of the Equipment Acquisition Consolidated Fund is the sum of \$7,448,070.00 for 290 patrol vehicles and \$2,940,600.00 for vehicle consoles, mobile data terminals, police radios, antennas, and sirens that will be purchased in separate procurements, some from existing contracts with sufficient spending authority. The Houston Police Department has also identified Police Special Services Funds in the amount of \$359,562.00 to purchase an additional 14 vehicles for a total of 304. The adopted FY08 Equipment Acquisition Plan included 190 patrol vehicles and ancillary equipment. HPD intends to reimburse the Equipment Acquisition Fund for the cost of 100 of the additional vehicles using grant, asset forfeiture or special revenue funds.

In January 2007, as a result of advertising this bid in accordance with the requirements of the State of Texas bid laws, bids were received from three vehicle suppliers. The bid document includes a provision that allows the City to purchase additional patrol vehicles through March 7, 2008, provided the contractor agrees to honor the original bid prices. Philpott Motors, Ltd. has agreed, in writing, to honor its original unit bid price of \$25,683.00 for the 304 patrol vehicles requested in this award.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NOT

Date: 6/27/2007	Subject: Amend Council Motion No. 2007-0218, Passed 02/28/2007 to Purchase Additional Patrol Vehicles for the Police Department S27-N22220-A1	Originator's Initials CJ	Page 2 of 2
<p>These new patrol vehicles will meet the EPA's current emission standards for low emission vehicles. They will come with warranties of three years or 36,000 miles on the vehicle and 100,000 miles on the power train components, and the life expectancy is four years or 100,000 miles. These new patrol units will replace existing units that have reached their useful life and will be sent to auction for disposition.</p>			
<p>Buyer: Conley Jackson PR Nos. 10026128/10026864</p>			
<p>Attachments: 1. Revised MWBE Zero Percentage Goal Document</p>			



CITY OF HOUSTON

Interoffice

Finance & Administration Department
Strategic Purchasing Division (SPD)

Correspondence

To: Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

From: Conley Jackson

Date: 02-08-07

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes No Type of Solicitation: Bid Proposal

I am requesting a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes No

I am requesting a revision of the MWBE Goal: Yes No Original Goal: 4% New Goal: 0%

If requesting a revision, how many solicitations were received: 3

Solicitation Number: N22220 Estimated Dollar Amount: \$4,276,877.00

Anticipated Advertisement Date: 12/1/2006 Solicitation Due Date: 1/11/2007

Goal On Last Contract: 6% Was Goal met: Yes No

If goal was not met, what did the vendor achieve: 0%

Name and Intent of this Solicitation:
Patrol Vehicles for Police and Fire Departments

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement):
(To be completed by SPD)

Prime contractor made a good faith effort to obtain MWBE pricing but the certified MWBE contractor chose not to submit a price quote to the prime contractor. See the attached response from the prime contractor and MWBE sub-contractor.

Concurrence:

SPD Initiator

Division Manager

Velma Laws, Director
* Affirmative Action

Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7510

Subject: Amend Council Motion No. 2007-0057, Passed 1/17/2007 to Purchase Additional Vehicle Console Systems for the Police Department.
S23-N22120-A1

Category #
4

Page 1 of 1 | Agenda Item
43B | 10B

FROM (Department or other point of origin):
Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date
June 25, 2007

Agenda Date
~~JUL 11 2007~~
JUL 18 2007

DIRECTOR'S SIGNATURE
Calvin D. Wells

Council District(s) affected
All

For additional information contact:
Joseph Fenninger Phone: (713) 308-1708
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:
Council Motion No. 2007-0057, 1/17/2007

RECOMMENDATION: (Summary)

Amend Council Motion No. 2007-0057, passed January 17, 2007, to purchase additional vehicle console systems for a total increase of \$88,953.44 for the Police Department.

Award Amount: \$88,953.44

F & A Budget
[Signature]

\$84,856.90 Equipment Acquisition Consolidated Fund (Fund 1800)
~~\$ 4,096.54~~ Police Special Services Fund (Fund 2201)
\$88,953.44 TOTAL

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council amend Council Motion No. 2007-0057, passed January 17, 2007, to purchase 304 additional vehicle console systems for a total increase of \$88,953.44 for the Police Department and that authorization be given to issue a purchase order to the awarded supplier, Bison Profab, Inc. These vehicle console systems will be used in the Department's patrol vehicles to hold radio communication equipment, mobile data computers, siren controls, and associated power distribution panels.

In November 2006, as a result of advertising this bid in accordance with the requirements of the State of Texas bid laws, bids were received from three suppliers. The bid document included a provision that allows the City to request the purchase of additional vehicle console systems provided the contractor agrees to honor the original bid price. Bison Profab, Inc. has agreed, in writing, to honor its original unit price bid of \$292.61 for the 304 vehicle console systems requested in this award.

These vehicle console systems will consist of a console and a mobile data computer-mounting platform. These new vehicle console systems will come with a full one-year warranty and will be installed in the Department's new marked patrol vehicles that are being purchased under a separate procurement.

Buyer: Roy Breaux

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MDA

L

HCD 07-160-A

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

REVISED 7/6/07

SUBJECT: Ordinance approving and authorizing Housing and Community Development Department (HCDD) to use \$659,482.85 in CDBG grant funds, resulting from an expenditure correction done by Right of Way Fleet Maintenance Division of Public Works and Engineering Department (PWED) as a result of overcharges to the CDBG program, to reimburse the City's CDBG Treasury Account per HUD's instruction.	Category #	Page 1 of 2	Agenda Item # <div style="border: 1px solid black; padding: 5px; display: inline-block;">44 #9</div>
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FROM (Department or other point of origin): Houston Housing and Community Development Richard Celli	Origination Date 07/05/2007	Agenda Date JUL 18 2007 JUL 11 2007
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DIRECTOR'S SIGNATURE: <i>Richard Celli</i>	Council District affected: All
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For additional information contact: Renee Carrington Phone: 713 868-8338	Date and identification of prior authorizing Council action:
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RECOMMENDATION: (Summary)
Adoption of an ordinance authorizing the use of \$659,482.85 in CDBG grant funds, resulting from an expenditure correction done by PWED as a result of overcharges to the CDBG program, to reimburse the City's CDBG Treasury Account per HUD's instruction.

Amount of Funding: \$659,482.85	F&A Budget: <i>[Signature]</i>
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SOURCE OF FUNDING General Fund Grant Fund Enterprise Fund
 Other (Specify) N/A

SPECIFIC EXPLANATION:
During the Independent audit for the Year Ended June 30, 2005, the audit firm of Deloitte and Touche identified issues related to grant activity. Deloitte and Touche's findings related to CDBG and HOME were forwarded to the Department of Housing and Urban Development (HUD). The auditors report resulted in the City of Houston receiving seven findings from HUD in a letter dated July 31, 2006. Three findings remain outstanding only one of which requires monetary corrective action.

Finding 2005-6 identified that interdepartmental costs charged to street overlays done by the Right of Way Fleet Maintenance Division of Public Works and Engineering Department (PWED) were based on budgeted expenditures and did not represent actual costs incurred, resulting in questioned costs. The review identified that a 30% overhead charge was applied in addition to the costs. The overhead charge was not sufficiently supported.

The corrective action requires the City to reimburse its CDBG Treasury Account for the questioned costs or provide an analysis of the actual costs. PWED conducted an analysis and determined that the overcharges to the CDBG program were \$659,482.85. The results were reviewed and verified.

REQUIRED AUTHORIZATION

F&A Director:	Other Authorization:	Other Authorization:
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Date 07/05/2007	Subject: Ordinance approving and authorizing Housing and Community Development Department (HCDD) to use \$659,482.85 in CDBG grant funds, resulting from an expenditure correction done by PWED as a result of overcharges to the CDBG program, to reimburse the City's CDBG Treasury Account per HUD's instruction.	Originator's Initials BCM	Page <u>2</u> of 2
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PWED charged \$659,482.85 in overcharges against Fund 1000 and reversed \$659,482.85 in CDBG expenditures against Fund 5000 (City's grant fund) for the City's Consolidated Plan Year 2003 and 2005, respectively. HUD mandates the City reimburse its CDBG Treasury Account. HUD must receive wired funds totaling \$659,482.85 to clear and close Independent Year Ended Audit 2005 finding 2005-6. Once completed HUD will credit the impacted grant years, 2003 and 2005, allowing the City to reprogram and reinvest these monies into CDBG eligible activities.

The department recommends approval to reimburse the account by approving and authorizing the expenditure of \$659,482.85 out of the CDBG Grant Funds to fulfill the obligation. On June 29, 2007 HCDD presented this item before the Housing and Community Development Committee and it received a favorable recommendation.

RC:RC:cc

Cc: Finance and Administration
Legal Department
City Secretary
Mayor's Office

Date: 06-20-2007	Subject: FY2008 Temporary Employee Services and Information Technology Staffing Services Contract Program	Originator's Initials	Page2 of 2
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Departments were polled to ensure adequate funding is requested to meet their objectives. The significant programs/projects utilizing temporary employees in FY08 and requiring on-going funding are:

- HPD including Temporary Jail Attendant Project - \$5.6M
- ITD Implementations including Phase III of the network upgrade, the 700 MHz public safety radio project and the Exchange Upgrade/Active Directory Project - \$1.6M
- PRD Seasonal Ground Workforce - \$1.4M
- HHS Grant projects - \$1.2M

The net effect of increasing the contract authority and exercising the renewal option is a positive economic impact to the City along with operational synergies:

1. No operational disruptions to the department
2. Continuity of existing projects
3. Risk management and disaster planning consideration
4. A better socio-economic situation when factors such as employee and agency retention are taken into consideration
5. Budget neutral as departments must have budget adequacy to utilize contract authority

Recommendation: To ensure services now being provided by temporary employee and information technology staffing agencies continue to meet on-going departmental needs, we are requesting the maximum contract authority for the temporary employee services program be increased by 5,000,000 for the contract period ending October 31, 2007, and \$12,500,000 to fund the first year renewal option for a total of \$17,500,000. This proposal is scheduled for presentation to the Budget and Fiscal Affairs Committee on July 9, 2007.

c: Anthony W. Hall Jr., Chief Administrative Officer
Marty Stein, Agenda Director

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance Amending Chapters 2, 15, 32, and 34, of the Houston Code of Ordinances to redesignate the Building Services Department as the General Services Department.	Page 1 of 1	Agenda Item 46 27 #4
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FROM (Department or other point of origin): Building Services Department	Origination Date 6-14-07	Agenda Date JUL 09 2007
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DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Dadoush</i> 6/13/07	Council District affected: All	JUL 11 2007 JUL 18 2007
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For additional information contact: Jacquelyn L. Nisby Phone: 713- 247-1814	Date and identification of prior authorizing Council action:
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RECOMMENDATION: Approve amendments to Chapters 2, 15, 32, and 34 of the Code of Ordinances to change the name of the Building Services Department to "General Services Department."

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION: The Building Services Department administers the following functions:

- design and construction activities for all city facilities excluding aviation department projects;
- development and administration of the Capital Improvement Plan;
- operation and maintenance of over 300 city facilities representing 7.3 million square feet of occupied space;
- procurement of electricity and natural gas for the City and implementation of conservation measures;
- fleet planning and operational standards;
- procurement, delivery and distribution of fuel citywide;
- negotiation of lease space for City departments, acquisition of real property and disposition of surplus City properties;
- security management of 350 City facilities, including CCTV, access control and alarm systems; and
- oversight of the Public Works Contractor Debarment process citywide.

Renaming the Building Services Department the "General Services Department" will more accurately reflect the broad functions of this department and is consistent with other state and federal agencies with similar functions. Therefore, the Building Services Department recommends that City Council approve an Ordinance to change the name of the Building Services Department to the "General Services Department."

IZD:JLN:SI:jln
c: Marty Stein, Anna Russell

REQUIRED AUTHORIZATION

Other Authorization:	Other Authorization:	Other Authorization:

Excerpt from Sec. 1-2(a)

City engineer shall mean the director of public works and engineering or the director or engineer designated by the director of the building general services department and their designees, as applicable. The term primarily relates to employees of the public works and engineering and building general services departments who are engaged in acquisition, design and construction of public works and related projects.

Excerpt from Sec. 2-52

(22) Be responsible for materials management:

- a. Procure supplies, equipment, and services needed for use of the city in the manner provided by law.
- b. Coordinate planning of material requirements for all city departments.
- c. Plan for, implement and manage centralized distribution centers (stores).
- d. Develop and monitor implementation of citywide policies, regulations, procedures and standards for procurement, materials requirement planning, warehousing and distribution.
- e. Review and recommend procurement legislation.

Procurements relating to the construction, maintenance, furnishing and management of city buildings other than on aviation department property shall be coordinated with the building general services department.

Sec. 2-279. Certain functions to be performed by the building general services and aviation departments.

With the exception of real property acquisition and the disposition of surplus real property, which shall be handled concurrently by the department and the building general services department, the planning, design, construction and management of city buildings shall be the responsibility of the building general services and aviation departments, as provided in this Code.

Sec. 2-385. Assistance by certain city departments.

The directors of the departments of personnel, public works and engineering, planning and development, health and human services, building general services and the mayor's office division of affirmative action and their staffs shall provide requested assistance to the commission. The city attorney and staff shall provide legal services and representation to the commission.

ARTICLE XIII. BUILDING GENERAL SERVICES DEPARTMENT

Sec. 2-431. Department created.

There is hereby created the building general services department of the city.

Sec. 2-432. Office of the director.

There is hereby created the office of director of the building general services department.

* * *

Sec. 2-434. Functions.

The department shall:

- (1) Be responsible for construction and remodeling of city buildings, including management and provision of in-house and contract services for design of projects, construction bidding, construction contract management, construction-related testing services and construction-related environmental services;
- (2) Perform facilities management services including review of requirements for space in city buildings, negotiations of city building space leases, whether the city is the lessor or the lessee, assignment of space in city buildings, development of office size and furnishing standards, management of furnishings installations and office moves and related services whether performed directly by the department or by contractors;
- (3) Acquire real property and dispose of surplus real property in coordination with the department of public works and engineering;
- (4) Manage and oversee energy programs for city buildings;

- (5) Manage the purchasing of natural gas, electricity, heated and chilled water and related utilities for use by the city;
- (6) Provide on-site building maintenance and operations services for buildings assigned to the department for that purpose, including janitorial, cleaning, building systems maintenance, minor repairs, carpentry and construction work and security operation and maintenance;
- (7) Manage and oversee fleet planning and operational standards;
- (8) Manage and oversee the procurement, delivery, and distribution of fuel;
- (9) Manage and oversee the capital improvement plan; and
- (7 10) Render assistance to other city departments upon request for buildings that may not be under the direct management of the department on issues relating to building management.

The foregoing duties and functions shall not extend to aviation department properties, unless so requested by the aviation department.

* * *

Sec. 2-437. Transfer of duties.

To the extent that any other reference in this Code or in any other ordinance of the city or any reference in any city contract or other document devolves duties upon the finance and administration department or the public works and engineering department or the directors or employees of those departments that have been reassigned to the building general services department or director thereof under this article, then the reference shall be construed to mean the building general services department or the director and employees thereof, as applicable.

Excerpt from Chapter 14, Rule 11 (located immediately following Sec. 14-145).

EXHIBIT A

CITY DEPARTMENTS

Aviation

~~Affirmative Action~~
~~Building Services~~
~~Citizens' Assistance~~
City Controller
City Council
City Secretary
Convention and Entertainment Facilities
Finance and Administration
Fire
General Services
Health and Human Services
Housing and Community Development
Houston Airport System
~~Houston Emergency Center~~
Houston Public Library System
Human Resources
Information Technology
Legal
Library
Mayor's Office-311
Mayor's Office-Administration
Mayor's Office-Affirmative Action
Mayor's Office-Citizens' Assistance
Mayor's Office-Houston Emergency Center
Municipal Courts-Administration
Municipal Courts-Judicial ~~Judicial~~
~~Municipal Courts-Administration~~
Parks and Recreation
Planning and Development

Police
Public Works and Engineering
Solid Waste Management

Excerpt from Sec. 15-2

(c) It shall be unlawful for the director of public works and engineering or the director of building general services after any such bidder shall have been found guilty by the city council of such collusion or agreement prohibited by subsection (a) hereof, knowingly to deliver or to cause to be delivered to any such person any bidding sheets, plans or specifications for public improvements to be constructed by the city. For a violation of this subsection, the director of public works and engineering and the director of building general services shall be subject to removal from office by the mayor and city council.

Excerpt from Sec. 15-3

(a) Bids shall be opened and read at a public meeting conducted by the city secretary, or an assistant city secretary, with the assistance of representatives of the department of finance and administration, the department of building general services and the department of public works and engineering.

Sec. 15-46. Return of bid bonds; rejection of bids.

(a) Upon receipt by the city secretary of a tabulation of bids and a recommendation as to the award of a contract, the city secretary shall return to each bidder who has made a bid deposit the bond, cashier's check or certified check representing such deposit, except that the city secretary shall retain any such deposit made by the lowest and second lowest bidders, as shown by such tabulation. Any deposit so retained shall be returned at such time as a contract has been awarded and signed or at such time as the director of the public works and engineering department, the purchasing agent, the director of building general services or the director of aviation, depending upon which initiated the contract, requests that it be returned pursuant to the authority granted in subsection (b) below or upon rejection of the bids by city council.

(b) The city council hereby delegates to the directors of public works and engineering, building general services, and aviation departments and to the city purchasing agent authority on its behalf to reject all bids pursuant to section 252.043 of the Texas

Local Government Code, and the authority to direct the city secretary to return all bid bonds on any project under the following circumstances:

- (1) All bids received exceed the department director's or purchasing agent's estimated costs, and the director or purchasing agent determines that the bids appear to be excessive; or
- (2) The department director or purchasing agent determines that the project or purchase is no longer required; or
- (3) The department director or purchasing agent determines that the city's design or specifications for the project or bid should be revised and new bids should be taken.

The delegation created in this subsection is nonexclusive, and nothing herein shall be construed to preclude the city council from rejecting any or all bids received for any project or purchase.

* * *

Sec. 15-83. Program elements.

(a) Based upon a review of data submitted annually by affected city departments, the mayor's affirmative action division shall each year submit a progress report to the city council. The report shall include three percentage figures that are intended to as closely as possible represent the ratio of the prior year's measured utilization and capacities of local MBEs and WBEs to do business in:

- (1) The supply of goods and nonpersonal or nonprofessional services;
- (2) The performance of personal or professional services; and
- (3) Construction;

to the prior year's total local business community utilization and capacity to do business in each of the three-named fields of city contracting.

(b) Based upon the measured utilization and capacities identified in subsection (a) above, city council shall from time to time set annual city-wide percentage goals for city contracting with MBEs and WBEs in each of the three named categories described in subsection (a) above. The adjustment, if any, in the percentage goals shall be made during the first quarter of the fiscal year.

(c) It is the responsibility of each city department to determine which contracts initiated by it are goal-oriented contracts and which are regulated contracts. If the determination is made that a contract is a goal-oriented contract or a regulated contract, the initiating department shall review the contract and shall determine, by reference to the MBE/WBE register, the number of certified MBEs and WBEs which have represented to the city that they are in the business of performing all or some of the required contract services. The initiating department director or his or her designee shall determine whether the contract is one to which MBE/WBE provisions should be applied.

- (1) These provisions are not required to be applied in the following circumstances:
 - a. A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy;
 - b. The service or goods requested are of such a specialized, technical or unique nature as to require the city department to be able to select its contractor without application of MBE/WBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants); or
 - c. If application of MBE/WBE provisions would impose an unwarranted economic burden or risk on the city or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the city; or
 - d. If the possible MBE/WBE participation level based on MBE and WBE availability would produce negligible MBE or WBE participation.

If one of the above-listed conditions is determined to exist, the department director shall certify that determination to the director of the affirmative action division and specify the conditions which lead to the determination. This certification is to be made prior to award of the contract.

- (2) If the contract does not fall within one of the above-listed exceptions, based upon its overall review, the initiating department:

- ~~a. Shall~~ shall assign an appropriate MBE/WBE participation level, if any, for the contract (whether goal-oriented or regulated) considering the local availability of certified MBEs and WBEs in the contract field.

The intention of this article is to provide administrative flexibility in the application of MBE/WBE provisions and in the percentage participation level on a contract-by-contract

basis so as not to limit access to city contracting by nonminority and nonwomen owned businesses to a greater degree than necessary to meet the city-wide annual goal and the policies and objectives of this article.

(d) The bidding documents and the contract documents for goal-oriented contracts for which an MBE/WBE participation level has been established shall contain a provision detailing the purposes and objectives of the city's MBE/WBE ordinance and shall incorporate by reference this article and the then-current motion establishing MBE and WBE annual goals. Regulated contracts which are determined to have significant subcontracting potential for which an MBE/WBE participation level has been established shall contain contractual provisions (and proposal provisions if submitted for proposals or for bids) requiring the contractor to meet or exceed the determined MBE/WBE participation level for that contract, or to establish that it has made good-faith efforts to do so, and that notwithstanding such efforts, was unable to meet or exceed the determined participation levels. The directors of the finance and administration, building general services and public works and engineering departments will establish procedures defining good-faith efforts. These procedures will be reviewed and approved by the affirmative action division, the mayor and the city attorney.

* * *

Sec. 15-101. Definitions.

(a) As used in this article, the following terms shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

Administrative official means the official designated by the director of building general services to oversee the administrative process of debarment.

Contractor means any person who contracts with or otherwise provides goods or services to the city for public works contracts, and includes subcontractors who by agreement provide any goods, materials, or services used in the performance of city public works contracts.

Day means a calendar day.

Debarment means action taken by the city council to exclude a person from acting as a city public works contractor for a specified period.

Hearing official means the person designated by the director of the department of building general services to conduct a debarment or reinstatement hearing and to make findings and recommendations to city council. The hearing official must not be a person who participated in the administration of the contract

giving rise to the debarment proceeding and shall not be the same person as the administrative official who investigated the referral. The hearing official may be a city employee, unless the contractor requests and makes security for the services of a private hearing official as provided in this article. The mayor shall, based upon recommendations from the administrative official and contractor organizations, develop and maintain a list of private hearing officials who will be designated by the director to conduct hearings under this article. Subject to their timely availability, the director shall assign private hearing officials in rotation from the list of persons appointed by the mayor.

Public works contract means any city contract or subcontract for the construction of public works, whether issued under the administrative oversight of the public works and engineering department, the aviation department, or the building general services department. The term includes contracts on competitive bids pursuant to chapter 252 of the Texas Local Government Code, but not contracts for professional services that are exempt from bidding under the Texas Professional Services Procurement Act.

Wrongful conduct means any of the types of conduct or offenses listed in section 15-103(1)--(4) of this Code.

Sec. 32-203. Assistance by certain city departments.

The directors of the departments of planning and development, finance and administration, public works and engineering, building general services and parks and recreation and their staffs shall provide requested assistance to the parks board. The city attorney and his staff shall provide legal services and representation to the parks board.

Excerpt from Sec. 33-211

(a) The creation of the Houston archaeological and historical commission is hereby reaffirmed. The HAHC shall consist of 11 members. Each member shall be a person who has knowledge and experience in the archaeological, architectural, cultural, social, economic, ethnic or political history of the city. The mayor shall assign a staff member to serve as a liaison between the HAHC and the mayor's office. The planning official shall serve as executive secretary to the HAHC. The archivist of the Houston public library system and the directors of building general services and public works and engineering shall serve as ex officio members of the HAHC, but shall not have a vote. When HAHC business requires the involvement of other departments, representatives of those departments shall attend meetings of the HAHC upon notice by the executive secretary. The HAHC shall elect its own chair and vice-chair.

Excerpt from Sec. 34-62

(a) The Adopt-A-Fire Station program is hereby created. The program shall be used to assist the city in its effort to maintain, refurbish, and renovate fire stations. The director of the ~~building~~ general services department and the fire chief shall jointly administer the program and shall promulgate rules and procedures for administering the program.

City of Houston, Texas, Ordinance No. 2007-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO REDESIGNATING THE BUILDING SERVICES DEPARTMENT AS THE GENERAL SERVICES DEPARTMENT; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the definition of the term *city engineer* in Subsection (a) of Section 1-2 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"City engineer shall mean the director of public works and engineering or the director or engineer designated by the director of the general services department and their designees, as applicable. The term primarily relates to employees of the public works and engineering and general services departments who are engaged in acquisition, design and construction of public works and related projects."

Section 2. That Item (22) of Section 2-52 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(22) Be responsible for materials management:

- a. Procure supplies, equipment, and services needed for use of the city in the manner provided by law.
- b. Coordinate planning of material requirements for all city departments.
- c. Plan for, implement and manage centralized distribution centers (stores).
- d. Develop and monitor implementation of citywide policies, regulations, procedures and standards for procurement, materials requirement planning, warehousing and distribution.
- e. Review and recommend procurement legislation.

Procurements relating to the construction, maintenance, furnishing and management of city buildings other than on aviation department property shall be coordinated with the general services department."

Section 3. That Section 2-279 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 2-279. Certain functions to be performed by the general services and aviation departments.

With the exception of real property acquisition and the disposition of surplus real property, which shall be handled concurrently by the department and the general services department, the planning, design, construction and management of city buildings shall be the responsibility of the general services and aviation departments, as provided in this Code."

Section 4. That Section 2-385 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 2-385. Assistance by certain city departments.

The directors of the departments of personnel, public works and engineering, planning and development, health and human services, general services and the mayor's office division of affirmative action and their staffs shall provide requested assistance to the commission. The city attorney and staff shall provide legal services and representation to the commission."

Section 5. That the title of Article XIII of Chapter 2 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"ARTICLE XIII. GENERAL SERVICES DEPARTMENT"

Section 6. That Sections 2-431 and 2-432 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

"Sec. 2-431. Department created.

There is hereby created the general services department of the city.

Sec. 2-432. Office of the director.

There is hereby created the office of director of the general services department."

Section 7. That Section 2-434 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 2-434. Functions.

The department shall:

- (1) Be responsible for construction and remodeling of city buildings, including management and provision of in-house and contract services for design of projects, construction bidding, construction contract management, construction-related testing services and construction-related environmental services;
- (2) Perform facilities management services including review of requirements for space in city buildings, negotiations of city building space leases, whether the city is the lessor or the lessee, assignment of space in city buildings, development of office size and furnishing standards, management of furnishings installations and office moves and related services whether performed directly by the department or by contractors;
- (3) Acquire real property and dispose of surplus real property in coordination with the department of public works and engineering;
- (4) Manage and oversee energy programs for city buildings;
- (5) Manage the purchasing of natural gas, electricity, heated and chilled water and related utilities for use by the city;
- (6) Provide on-site building maintenance and operations services for buildings assigned to the department for that purpose, including janitorial, cleaning, building systems maintenance, minor repairs, carpentry and construction work and security operation and maintenance;

- (7) Manage and oversee fleet planning and operational standards;
- (8) Manage and oversee the procurement, delivery, and distribution of fuel;
- (9) Manage and oversee the capital improvement plan; and
- (10) Render assistance to other city departments upon request for buildings that may not be under the direct management of the department on issues relating to building management.

The foregoing duties and functions shall not extend to aviation department properties, unless so requested by the aviation department."

Section 8. That Section 2-437 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 2-437. Transfer of duties.

To the extent that any other reference in this Code or in any other ordinance of the city or any reference in any city contract or other document devolves duties upon the finance and administration department or the public works and engineering department or the directors or employees of those departments that have been reassigned to the general services department or director thereof under this article, then the reference shall be construed to mean the general services department or the director and employees thereof, as applicable."

Section 9. That Exhibit A to Rule 11, Division 11, entitled "Layoffs," of the Civil Service Rules for municipal employees, which appears following Section 14-145 in the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"EXHIBIT A

CITY DEPARTMENTS

City Controller
City Council
City Secretary

Convention and Entertainment Facilities
Finance and Administration
Fire
General Services
Health and Human Services
Housing and Community Development
Houston Airport System
Houston Public Library System
Human Resources
Information Technology
Legal
Mayor's Office—311
Mayor's Office—Administration
Mayor's Office—Affirmative Action
Mayor's Office—Citizens' Assistance
Mayor's Office—Houston Emergency Center
Municipal Courts—Administration
Municipal Courts—Judicial
Parks and Recreation
Planning and Development
Police
Public Works and Engineering
Solid Waste Management"

Section 10. That Subsection (c) of Section 15-2 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(c) It shall be unlawful for the director of public works and engineering or the director of general services after any such bidder shall have been found guilty by the city council of such collusion or agreement prohibited by subsection (a) hereof, knowingly to deliver or to cause to be delivered to any such person any bidding sheets, plans or specifications for public

improvements to be constructed by the city. For a violation of this subsection, the director of public works and engineering and the director of general services shall be subject to removal from office by the mayor and city council."

Section 11. That Subsection (a) of Section 15-3 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) Bids shall be opened and read at a public meeting conducted by the city secretary, or an assistant city secretary, with the assistance of representatives of the department of finance and administration, the department of general services and the department of public works and engineering."

Section 12. That Section 15-46 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 15-46. Return of bid bonds; rejection of bids.

(a) Upon receipt by the city secretary of a tabulation of bids and a recommendation as to the award of a contract, the city secretary shall return to each bidder who has made a bid deposit the bond, cashier's check or certified check representing such deposit, except that the city secretary shall retain any such deposit made by the lowest and second lowest bidders, as shown by such tabulation. Any deposit so retained shall be returned at such time as a contract has been awarded and signed or at such time as the director of the public works and engineering department, the purchasing agent, the director of general services or the director of aviation, depending upon which initiated the contract, requests that it be returned pursuant to the authority granted in subsection (b) below or upon rejection of the bids by city council.

(b) The city council hereby delegates to the directors of public works and engineering, general services, and aviation departments and to the city purchasing agent authority on its behalf to reject all bids pursuant to section 252.043 of the Texas Local Government Code, and the authority to direct the city secretary to return all bid bonds on any project under the following circumstances:

- (1) All bids received exceed the department director's or purchasing agent's estimated costs, and the director or

purchasing agent determines that the bids appear to be excessive; or

- (2) The department director or purchasing agent determines that the project or purchase is no longer required; or
- (3) The department director or purchasing agent determines that the city's design or specifications for the project or bid should be revised and new bids should be taken.

The delegation created in this subsection is nonexclusive, and nothing herein shall be construed to preclude the city council from rejecting any or all bids received for any project or purchase."

Section 13. That Section 15-83 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 15-83. Program elements.

(a) Based upon a review of data submitted annually by affected city departments, the mayor's affirmative action division shall each year submit a progress report to the city council. The report shall include three percentage figures that are intended to as closely as possible represent the ratio of the prior year's measured utilization and capacities of local MBEs and WBEs to do business in:

- (1) The supply of goods and nonpersonal or nonprofessional services;
- (2) The performance of personal or professional services; and
- (3) Construction;

to the prior year's total local business community utilization and capacity to do business in each of the three-named fields of city contracting.

(b) Based upon the measured utilization and capacities identified in subsection (a) above, city council shall from time to time set annual city-wide percentage goals for city contracting with MBEs and WBEs in each of the three named categories described in subsection (a) above. The adjustment, if any, in the percentage goals shall be made during the first quarter of the fiscal year.

(c) It is the responsibility of each city department to determine which contracts initiated by it are goal-oriented contracts and which are regulated contracts. If the determination is made that a contract is a goal-oriented contract or a regulated contract, the initiating department shall review the contract and shall determine, by reference to the MBE/WBE register, the number of certified MBEs and WBEs which have represented to the city that they are in the business of performing all or some of the required contract services. The initiating department director or his or her designee shall determine whether the contract is one to which MBE/WBE provisions should be applied.

- (1) These provisions are not required to be applied in the following circumstances:
 - a. A public or administrative emergency exists which requires the goods or services to be provided with unusual immediacy;
 - b. The service or goods requested are of such a specialized, technical or unique nature as to require the city department to be able to select its contractor without application of MBE/WBE provisions (such as contracts for expert witnesses, certain financial advisors or technical consultants); or
 - c. If application of MBE/WBE provisions would impose an unwarranted economic burden or risk on the city or unduly delay acquisition of the goods or services, or would otherwise not be in the best interest of the city; or
 - d. If the possible MBE/WBE participation level based on MBE and WBE availability would produce negligible MBE or WBE participation.

If one of the above-listed conditions is determined to exist, the department director shall certify that determination to the director of the affirmative action division and specify the conditions which lead to the determination. This certification is to be made prior to award of the contract.

- (2) If the contract does not fall within one of the above-listed exceptions, based upon its overall review, the initiating department shall assign an appropriate MBE/WBE participation level, if any, for the contract (whether goal-

oriented or regulated) considering the local availability of certified MBEs and WBEs in the contract field.

The intention of this article is to provide administrative flexibility in the application of MBE/WBE provisions and in the percentage participation level on a contract-by-contract basis so as not to limit access to city contracting by nonminority and nonwomen owned businesses to a greater degree than necessary to meet the city-wide annual goal and the policies and objectives of this article.

(d) The bidding documents and the contract documents for goal-oriented contracts for which an MBE/WBE participation level has been established shall contain a provision detailing the purposes and objectives of the city's MBE/WBE ordinance and shall incorporate by reference this article and the then-current motion establishing MBE and WBE annual goals. Regulated contracts which are determined to have significant subcontracting potential for which an MBE/WBE participation level has been established shall contain contractual provisions (and proposal provisions if submitted for proposals or for bids) requiring the contractor to meet or exceed the determined MBE/WBE participation level for that contract, or to establish that it has made good-faith efforts to do so, and that notwithstanding such efforts, was unable to meet or exceed the determined participation levels. The directors of the finance and administration, general services and public works and engineering departments will establish procedures defining good-faith efforts. These procedures will be reviewed and approved by the affirmative action division, the mayor and the city attorney."

Section 14. That Section 15-101 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 15-101. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

Administrative official means the official designated by the director of general services to oversee the administrative process of debarment.

Contractor means any person who contracts with or otherwise provides goods or services to the city for public works contracts, and includes subcontractors who by agreement provide any goods,

materials, or services used in the performance of city public works contracts.

Day means a calendar day.

Debarment means action taken by the city council to exclude a person from acting as a city public works contractor for a specified period.

Hearing official means the person designated by the director of the department of general services to conduct a debarment or reinstatement hearing and to make findings and recommendations to city council. The hearing official must not be a person who participated in the administration of the contract giving rise to the debarment proceeding and shall not be the same person as the administrative official who investigated the referral. The hearing official may be a city employee, unless the contractor requests and makes security for the services of a private hearing official as provided in this article. The mayor shall, based upon recommendations from the administrative official and contractor organizations, develop and maintain a list of private hearing officials who will be designated by the director to conduct hearings under this article. Subject to their timely availability, the director shall assign private hearing officials in rotation from the list of persons appointed by the mayor.

Public works contract means any city contract or subcontract for the construction of public works, whether issued under the administrative oversight of the public works and engineering department, the aviation department, or the general services department. The term includes contracts on competitive bids pursuant to chapter 252 of the Texas Local Government Code, but not contracts for professional services that are exempt from bidding under the Texas Professional Services Procurement Act.

Wrongful conduct means any of the types of conduct or offenses listed in section 15-103(1)--(4) of this Code."

Section 15. That Section 32-203 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"Sec. 32-203. Assistance by certain city departments.

The directors of the departments of planning and development, finance and administration, public works and engineering, general services and parks and recreation and their staffs shall provide requested assistance to the parks board. The city attorney and his staff shall provide legal services and representation to the parks board."

Section 16. That Subsection (a) of Section 33-211 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) The creation of the Houston archaeological and historical commission is hereby reaffirmed. The HAHC shall consist of 11 members. Each member shall be a person who has knowledge and experience in the archaeological, architectural, cultural, social, economic, ethnic or political history of the city. The mayor shall assign a staff member to serve as a liaison between the HAHC and the mayor's office. The planning official shall serve as executive secretary to the HAHC. The archivist of the Houston public library system and the directors of general services and public works and engineering shall serve as ex officio members of the HAHC, but shall not have a vote. When HAHC business requires the involvement of other departments, representatives of those departments shall attend meetings of the HAHC upon notice by the executive secretary. The HAHC shall elect its own chair and vice-chair."

Section 17. That Subsection (a) of Section 34-62 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

"(a) The Adopt-A-Fire Station program is hereby created. The program shall be used to assist the city in its effort to maintain, refurbish, and renovate fire stations. The director of the general services department and the fire chief shall jointly administer the program and shall promulgate rules and procedures for administering the program."

Section 18. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not

be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 19. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this ___ day of _____, 2007.

APPROVED this ___ day of _____, 2007.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

Prepared by Legal Dept. *Furumilla Dorman* *JA*
KO:asw 06/14/2007 Assistant City Attorney
Requested by Issa Z. Dadoush, P.E., Director, Building Services Department
L.D. File No. 0330700026001

R

SUBJECT: Approve contract with Grote Consulting for employee relations training		Category # 9	Page 47	Agenda Item 2832
FROM (Department or other point of origin): Human Resources		Origination Date 6/29/07	Agenda Date JUL 11 2007 JUL 09 2007 JUL 18 2007	
DIRECTOR'S SIGNATURE: MB <i>C. Aldridge</i>		Council District affected: All		
For additional information contact: Candy Clarke Aldridge Phone: (713) 837-9333		Date and identification of prior authorizing Council action: Council Motion 12/09/99		
RECOMMENDATION: (Summary) Approve a contract with Grote Consulting Corporation to train and certify trainers and to acquire the rights to use the Grote intellectual property in training and implementing a Discipline Without Punishment policy within city departments.				
Amount of Funding: Maximum contract amount \$73,500 (initial allocation \$63,400)			F & A Budget: <i>Mitchell</i> <i>Mitchell</i>	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input checked="" type="checkbox"/> Enterprise Fund				
Water and Sewer System Operating Fund (8300) (Costs to be recovered from other departments on a per capita basis)				
SPECIFIC EXPLANATION: On November 15, 2006, Mayor White issued Executive Order 3-7 encouraging Department Directors to develop positive discipline programs for their organizations based on the Discipline Without Punishment program. This program, developed by Dick Grote, is a performance management program that seeks to create employee commitment for improved performance while eliminating the reliance on some punitive discipline actions. It is founded on the use of a positive and corrective coaching process to guide employees in personal performance choices. Positive discipline offers tools for managers to communicate needed corrective measures in a personal, respectful and non-threatening atmosphere. This contract provides for certification by Mr. Grote of up to 20 trainers who will then be able to train city employees and departments on this program. The certification will be accomplished in a four day Train the Trainer Program. In addition the city acquires a royalty-free, nonexclusive and irrevocable license to use, modify, reproduce, and derive all the training materials provided. Mr. Grote will also conduct a policies and procedure review class that will provide updates on the state of practice of this program in other organizations and will provide lessons learned and guidance on developing a policy of Discipline Without Punishment. The contract also provides for future additional services by Mr. Grote as requested by the Human Resources Director to be paid under the hourly rate. Two city departments have previously contracted with Mr. Grote for this training (HAS in 2000 and PWE in 2002) and have implemented versions of this program. This training will also provide refresher training for designated trainers from these two departments. The cost of this program will be shared among all departments.				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		NOT

SUBJECT: Developer Participation Contract between City of Houston and Inwood Montgomery, L.P., for the construction of water, sanitary sewer and storm sewer lines. S-000800-00M7-4/ R-000800-00M7-4/ M-000800-00M7-4		Page of 48	Agenda Item # 32 38						
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 5/31/07	Agenda Date JUL 11 2007 JUL 08 2007 JUL 18 2007							
Director Signature:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: B								
For additional information contact: Jun Chang, P.E. ^{jc} Phone: (713) 837-0433	Date and identification of prior authorizing Council action:								
Recommendation: (Summary) Approve a Developer Participation Contract between City of Houston and Inwood Montgomery, L.P., for the City to pay 70% of the cost to construct approximately 3,521 linear feet of water line, 3,490 linear feet of sanitary sewer line and 100% of the cost to construct 2,436 linear feet of storm sewer line to serve the 126-lot subdivision, Inwood Park, and appropriate funds.									
Amount & Source of Funding: <table style="width:100%; border:none;"> <tr> <td style="width:30%;">\$358,276.18</td> <td>Water & Sewer System Consolidated Construction Fund No. 8500</td> </tr> <tr> <td>\$378,000.00</td> <td>Homeless & Housing Consolidated Fund 4501</td> </tr> <tr> <td>\$736,276.18</td> <td>Total Appropriation</td> </tr> </table>				\$358,276.18	Water & Sewer System Consolidated Construction Fund No. 8500	\$378,000.00	Homeless & Housing Consolidated Fund 4501	\$736,276.18	Total Appropriation
\$358,276.18	Water & Sewer System Consolidated Construction Fund No. 8500								
\$378,000.00	Homeless & Housing Consolidated Fund 4501								
\$736,276.18	Total Appropriation								
Specific Explanation: Article IV of Chapter 47 of the Code of Ordinances, Houston, Texas (Houston Code) included provisions for City participation in the cost of the construction of water and sewer mains by a developer. In January, 2001, City Council amended Chapter 47 by approving Section 47-164 of the Code, providing for the City and a developer to enter into a cost-sharing agreement under which a developer of single family residences designs and constructs the mains necessary to serve the development (water and wastewater) and dedicates them to the City in exchange for 70% reimbursement of the construction cost and 100% of the design cost. The Ordinance also provides for the City to reimburse the developer 100% of the cost to design and construct storm water mains and appurtenances, up to a maximum of \$3,000.00 per lot, if the homes qualify as affordable housing (sell for less than the median price of a house in Houston). The Ordinance further allows the City to pay interest costs incurred by the developer. The developer will be reimbursed after 25% of the residences have been built. The developer has eighteen (18) months from the date of the contract to begin construction and three (3) years from the beginning of construction to complete the number of houses necessary for reimbursement. As of February, 2005, all 70% Developer Participation Contracts contain specific provisions to ensure that the projects will facilitate development of single-family, owner-occupied residences. Inwood Montgomery, L.P., proposes to construct approximately 3,521 linear feet of water line, 3,490 linear feet of sanitary sewer line and 2,436 linear feet of storm sewer line to serve the 126-lot subdivision, Inwood Park. The maximum amounts to be reimbursed are as follows:									
Required Authorization:		CUIC# 20JZC172							
F & A Budget: 	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning & Development Services							

Date:	Subject: Developer Participation Contract between City of Houston and Inwood Montgomery, L.P., for the construction of water, sanitary sewer and storm sewer lines.	Originator's Initials	Page 2 of 2
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Water

70% of construction cost (including interest & 5% contingency):	\$78,249.71
design cost:	<u>\$14,440.55</u>
total:	\$92,690.26

Wastewater

70% of construction cost (including interest & 5% contingency):	\$224,209.32
design cost:	<u>\$41,376.60</u>
total:	\$265,585.92

Storm Sewer (Including appropriate detention)

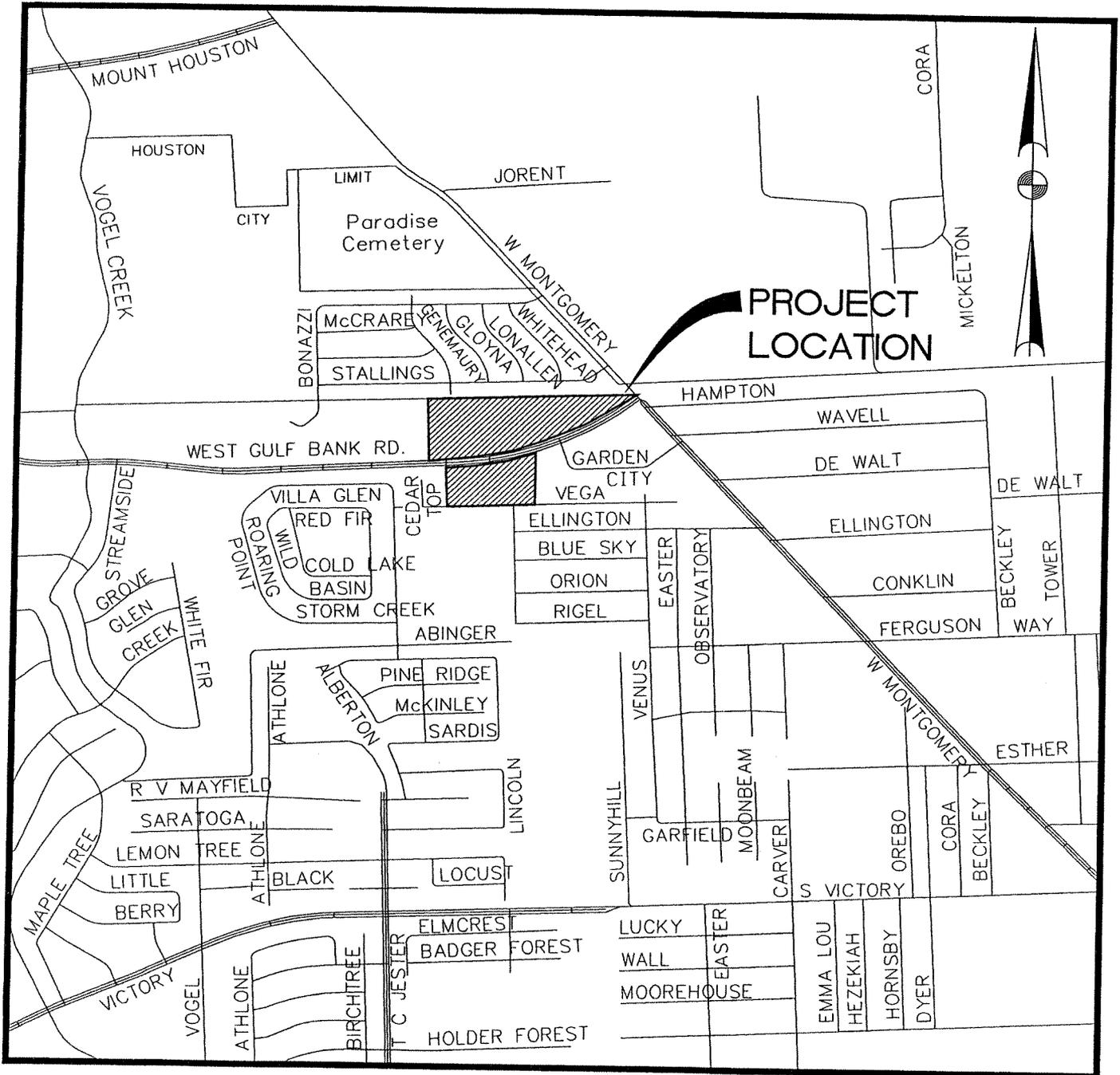
100% of construction cost (including interest & 5% contingency):	\$321,300.00
design cost:	<u>\$56,700.00</u>
total:	\$378,000.00

Upon approval of this agreement, the Developer will proceed with preparation of construction drawings and specifications for the project. The project will then be advertised by the Developer in accordance with state bid laws. The Department of Public Works and Engineering will inspect the construction of the mains and review the final construction cost to determine the actual amount of the City's share.

AFI:JC:MAS:tp

c: Marty Stein
 Craig Foster
 John Sakolosky

INWOOD PARK VILLAGE



VICINITY MAP (41R)
NOT TO SCALE